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Community Access Monitor Project

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Please note: The Massachusetts Architectural Access Board is in the process of revising its Rules and Regulations to achieve substantial equivalency with the Americans with Disabilities Act Accessibility Guidelines. A revised version of this workbook will be produced during the upcoming year to reflect the changes in the state regulations. Please contact the Massachusetts Office on Disability for further information.

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Community Access Monitor Project

MASSACHUSETTS OFFICE ON DISABILITY

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Introduction

The Community Access Monitor Project

Since the creation of the Community Access Monitor Project in 1985, over 1300 people have been trained by the Massachusetts Office on Disability to survey buildings in their communities for accessibility and to advocate for compliance with the law, and over 650 people have been certified as Community Access Monitors.

In past years, the Community Access Monitor Project emphasized the enforcement of the Architectural Access Board's Rules and Regulations. Now, with the federal Americans with Disabilities Act in effect, requirements for access have broadened to include communication and programmatic as well as architectural accessibility. As the scope of accessibility legislation has broadened, so has the role of the Community Access Monitor.

This workbook contains information on access legislation and provides a step-by-step process for conducting assessments and encouraging voluntary compliance with the Americans with Disabilities Act and the Architectural Access Board Rules and Regulations.

The Community Compliance Campaign

The Massachusetts Office on Disability has received a generous grant from the Boston Foundation to fund advocacy work in the Boston Area. This "Community Compliance Campaign" is a part of the Community Access Monitor Project.

"Accessibility"

Architectural, communication, programmatic, and policy barriers prevent people from participating fully in society. People with disabilities cannot assume they can use common public places, such as stores, banks, offices, and restaurants, or participate in ordinary activities, such as working, getting an education, visiting friends, and attending community events. Most non-disabled people take these freedoms for granted.

"Accessibility" means much more than ramps for wheelchair access. People with all types of physical, sensory, cognitive and other disabilities must be ensured equal access to facilities, services, and programs. People with disabilities must not be discriminated against through structural barriers, unequal policies and practices, or inaccessible means of communication and dissemination of information.

The Role of the Community Access Monitor

Community Access Monitors play an essential role in encouraging access improvements. While they do not have legal enforcement authority, monitors have proven to be highly effective advocates. By coordinating advocacy efforts with municipal disability commissions, Independent Living Centers, ADA coordinators, building inspectors, and others, monitors make an enormous contribution to the implementation process.

Being a Community Access Monitor requires knowledge of access laws and regulations, understanding of the range of organizations that have responsibilities under both state and federal regulations, skill in surveying and advocacy, and the ability to be persuasive and persistent. Through this training program, you will gain the knowledge and skills you need to become an effective accessibility advocate.

Getting Involved

Accessibility in Massachusetts is mandated by complex and far-reaching state and federal laws, whose enforcement depends upon the active involvement of the disability community. Get involved; every individual makes a difference. The law is behind you. Through your efforts, and the collective effort of the Community Access Monitor Project and the whole advocacy movement, you will help bring about change.

Community Access Monitor RIGHTS AND RESPONSIBILITIES

- 1) You have the right to public information.
- 2) You have the right to use your designation as a Massachusetts Office on Disability Community Access Monitor in your advocacy work.
- 3) You have the right to call the Massachusetts Office on Disability for consultation and questions.
- 4) You have the responsibility to be knowledgeable about the intent and scope of both state and federal regulations.
- 5) You have the responsibility to notify the organization in writing of your interest in assessing its accessibility and to follow up with a phone call.
- 6) You have the responsibility to complete surveys, advocate for voluntary compliance, and fill out and file complaint forms when appropriate.
- 7) You have the responsibility to decline requests for advice in situations where you lack expertise.
- 8) You have the responsibility to use your designation as a Community Access Monitor only in a volunteer capacity.

Frequently Asked Questions

1. How will the ADA affect the Community Access Monitor Project?

With the ADA in effect, more Massachusetts businesses, nonprofit organizations, and state, county, and municipal governments have the responsibility to be accessible to people with a wide range of disabilities. Thus the role of the Community Access Monitor has expanded to include advocacy for compliance with both state and federal laws, and the primary focus has shifted from building code violations and complaints to advocacy for increased access in all different kinds of organizations.

2. Does the Americans with Disabilities Act require all municipal and state buildings to be accessible?

Not exactly. The ADA requires all municipal and state programs, services, and activities to be accessible. Sometimes that requires structural changes to a facility; but sometimes programs can be made accessible through reassigning people or programs to accessible sites, providing home visits, or other programmatic means. Newly constructed facilities and renovations must be accessible.

3. What about other buildings that are open to the public, such as stores and restaurants?

Existing facilities, including stores, restaurants, and other public accommodations, must make any access improvements that are "readily achievable" (easily accomplishable and able to be carried out without much difficulty or expense). Newly constructed and renovated facilities must be accessible.

4. Are municipalities required to provide town reports and information for Town Meetings in braille? Are they required to provide sign language interpreters at public functions, such as Select Board meetings and school awards programs?

The general rule is that municipalities are required to ensure that communications with people with disabilities are as effective as communication with others. This does not mean that sign language interpreters or braille, large print, or taped materials must always be on hand. It is construed to mean, however, that when such auxiliary aids and services are requested, they must be provided, unless it would cause an "undue burden" (significant difficulty or expense).

5. Do restaurants have to provide menus in braille?

A restaurant need not provide braille menus as long as there is an employee available to read the menu to someone who is unable to read a print menu. This is an example of an auxiliary service to ensure effective communication.

6. If a store has a “no animals” policy, are they required to let in people with guide dogs?

Yes. A general “no animals” policy is an example of a policy that discriminates against people with disabilities, which should be modified to allow people with disabilities who use service animals to use the store.

7. Are hotels, restaurants and stores required to have TDDs (Telecommunication Devices for the Deaf)?

Hotels, restaurants, and stores are required to ensure effective communication with people with hearing and speech disabilities. Usually the Telephone-TDD Relay Service can be used for reservations and general questions. In facilities such as hospitals and hotels where customers/clients have phones in their rooms, TDDs must be available upon request to ensure equal access to telecommunications. A TDD would also be needed at the front desk so that customers/clients could communicate by phone with staff.

8. What are some of the the differences between the ADA and AAB in new construction?

A number of the technical requirements are different, including the requirements for entrances, doors, stairs, ramps, handrails, rest rooms, detectable warnings, signage, non-slip floors, and accessible routes. In these cases, the more stringent specification should be used (in other words, the one that provides greater access). ADA has some new scoping requirements, including van parking, assistive listening systems, text telephones/telecommunication display devices, areas of rescue assistance, and automatic teller machines. Finally, the ADA, unlike AAB, requires some access to employee areas, and has somewhat different provisions for alterations and for businesses located in private residences.

9. Do historic buildings need to comply with access laws?

Yes, but historic buildings are allowed some flexibility by both the AAB and the ADA. The AAB may grant variances to historic properties, permitting them to provide alternate access. The ADA requires readily achiev-

able barrier removal in historic buildings (i.e., buildings eligible for listing in the National Register of Historic Places or designated as historic under state or local law) and access in historic buildings undergoing alterations, unless this would threaten or destroy the historic significance of the property. In these rare circumstances, alternative methods should be provided, to make the activities and programs held there available to people with disabilities.

10. Is it true that religious organizations and private clubs are exempt?

Private clubs are exempt from the ADA and AAB requirements if they are *exclusive* clubs, whose memberships or facilities are not open to the public. However, under the ADA, a private club that leases space to a place of public accommodation takes on the responsibilities of a public accommodation. Religious organizations, such as churches and synagogues, are exempt from the ADA, but are covered by the AAB regulations. Facilities operated by religious organizations, such as hospitals and schools, are also exempt from the ADA. However, a public accommodation that leases space from a religious organization or an exclusive club is still subject to the ADA requirements.

11. Which should be used if the state and federal design guidelines differ?

If the state and federal standards differ on a particular requirement, always use the more stringent one (i.e., the one that provides the greater degree of access). The AAB/ADAAG survey provided in this workbook highlights the more stringent standard for each technical requirement.

12. Do local building inspectors have the authority to enforce the ADA?

No. Building inspectors have enforcement authority under AAB, but not under the ADA. The ADA is enforced through complaints to federal agencies, lawsuits when necessary, and, preferably, through alternative means of dispute resolution.

13. What should I tell someone who asks if it's OK to use a portable ramp?

Under the ADA, portable ramps should be used to provide "readily achievable" access only when the installation of a permanent ramp is not readily achievable. If a portable ramp is used, consideration should be given to safety features such as nonslip surfaces, railings, anchoring, and strength of materials. Note that portable ramps are rarely available for rises of more than two or three steps.

14. If there's not enough space for a ramp, can a lift be used instead?

In some cases, a lift may be used, but a lift *always* requires a variance from the AAB, as do elevators smaller than what the AAB requires.

15. Can one unisex accessible rest room be installed instead of separate accessible men's and women's rooms?

The AAB and the ADA do allow unisex rest rooms; however, the Massachusetts Plumbing Board does not. To install one, contact your municipal Health Department, which will apply for a variance from the Plumbing Board.

16. How do I encourage a business or organization to improve access?

Several advocacy techniques are outlined in this workbook, and you or others you work with may develop other strategies. Such strategies might include providing advice and information, working with the chamber of commerce or local business association, writing letters, negotiating settlements, and publicizing your work through a press release or other means.

17. What should I do if someone asks me to review construction plans?

The review of drawings is highly technical and poses liability risks. If an organization requests assistance of a technical nature, you should decline to provide it, and refer them to the Massachusetts Office on Disability, which can provide a list of access consultants.

18. What laws apply to federal agencies and facilities, such as post offices?

Section 501 and 504 of the federal Rehabilitation Act of 1973 and the Architectural Barriers Act of 1968 cover all federal facilities. They are not covered under the ADA or the AAB.

19. Is there money available to organizations for access improvements?

Yes, but the money is quite limited. For municipal organizations, there are three sources of funding: (1) Community Development Block Grant (CDBG), which for larger communities is entitlement money, and for smaller communities is a competitive grant program, and which can be used for access improvements to facilities (including outdoor features, such as curb cuts); (2) Land and Water Conservation Fund, which can be used for many types of improvements to recreation areas, including access; and (3) Massachusetts Department of Education School Building Assistance Bureau program for capital improvements, which can be used for access. For private organizations, there is a tax credit and a tax deduction available that can be applied to the costs of improving access.

State and Federal Access Laws

Americans with Disabilities Act of 1990 (P.L. 101-336)

The federal Americans with Disabilities Act (ADA) prohibits discrimination against people with disabilities in nearly all segments of society. Title I covers employment; Title II covers state and local government services, including public transportation; Title III covers public accommodations, commercial facilities, and specified private transportation; Title IV covers telecommunication; and Title V contains miscellaneous provision, including coverage of Congress. This workbook deals with organizations covered by Titles II and III. Housing is not covered by the ADA (except transient housing, such as hotels and dormitories), since it is already covered by the Fair Housing Amendments Act. The federal government is also not included, because it is covered by Section 504 of the Rehabilitation Act (see "Related Federal Laws" on page 20).

TITLE II: STATE AND LOCAL GOVERNMENT SERVICES

Title II prohibits discrimination by public entities. The emphasis is on access to all services, activities, and programs.

ADA TITLE II JURISDICTION

All services, programs, and activities provided or made available by public entities.

Public entity means:

- 1) any state or local government
- 2) any department, agency, special purpose district (such as a county), or other instrumentality of a state or local government
- 3) the National Railroad Passenger Corporation, and any commuter authority

SELF-EVALUATION AND NOTICE

By January 26, 1993, public entities are required to evaluate current services, policies, and practices to identify and modify those that are discriminatory. Entities that employ fifty or more people must maintain the evaluation for public inspection for three years, designate an employee responsible for compliance, and establish a grievance procedure for handling complaints. Public entities must also provide notice regarding the rights and protections available to people with disabilities under the ADA.

NONDISCRIMINATION

Title II sets the following nondiscrimination requirements for public entities:

- It is illegal to refuse to allow a person to participate in a service, program, or activity simply because the person has a disability.
- Programs and services must be provided in an integrated setting unless separate programs are necessary to ensure equal access.
- Entities must eliminate unnecessary eligibility standards or rules that exclude or tend to screen out people with disabilities.
- Entities must make reasonable modifications to policies, practices, and procedures to ensure equal access.
- Programs must be readily accessible to and usable by people with disabilities.
- It is illegal to place special charges on people with disabilities to cover the costs of ensuring nondiscrimination.

PROGRAM ACCESSIBILITY

Title II requires state and local programs, services, and activities to be readily accessible to and usable by people with disabilities. Programs must be made accessible unless doing so would fundamentally change the nature of the operation or cause an undue financial or administrative burden. Extensive structural alterations of existing facilities are not required where alternative methods, such as the reassignment of services to accessible facilities, delivery of services at alternate accessible sites, redesign of equipment, or home visits, provide adequate access. Structural barrier removal is required only where there is no other way to achieve access. Such changes must be made as soon as possible but no later than January 26, 1995.

Public entities with fifty or more employees must develop a Transition Plan by July 26, 1992 if structural changes are needed to achieve program accessibility. The Transition Plan must identify the physical barriers, describe the methods that will be used to make the facilities accessible, specify the schedule for compliance, and indicate the official responsible for implementation. The plan must include a schedule for providing curb cuts on sidewalks for which the public entity has responsibility.

ACCESS TO COMMUNICATION

Effective communication, which may include the use of TDDs, telephone relay services, sign language interpreters, large print materials, or other auxiliary aids and services, must be ensured for all applicants, beneficiaries, participants, and others. Telephone emergency services (such as police, fire, and ambulance, including 911 service) must have TDDs to ensure direct access. Accessible routes, facilities, or equipment must be identified with appropriate, accessible signage. These actions are required unless they would cause a fundamental alteration of the program or service or an undue financial or administrative burden.

NEW CONSTRUCTION AND ALTERATIONS

State and local government facilities that are built or renovated after January 26, 1992 must be readily accessible to and usable by people with disabilities. Entities can use either the ADA Accessibility Guidelines or the Uniform Federal Accessibility Standards (UFAS). Accessible features must be adequately maintained.

ENFORCEMENT

An individual may report complaints through the grievance procedure established by the public entity where the alleged discrimination occurred, or may file complaints with any appropriate federal agency. (The U.S. Department of Justice is the agency responsible for overall enforcement of Title II; however, it has delegated enforcement for specific program areas to other federal agencies. A list of designated agencies is provided on page 52.) The agency will then try to negotiate for voluntary compliance and may withhold federal funds, or it may refer the case to the Department of Justice for possible legal action, which may result in an injunctive order to provide access, pay damages, litigation expenses, and/or any other relief ordered by the court.

Individuals also have the option of bypassing these grievance and complaint processes and taking their case directly to court with a private suit. However, alternative means of dispute resolution, such as settlement negotiations, conciliation, mediation, and arbitration, are encouraged.

EFFECTIVE DATE

The effective date for Title II of the ADA is January 26, 1992.

TITLE III: PUBLIC ACCOMMODATIONS AND COMMERCIAL FACILITIES

Title III of the ADA prohibits discrimination on the basis of disability in places of public accommodation, commercial facilities, and private providers of transportation. Existing **public accommodations** must remove structural barriers to make their goods and services usable by people with disabilities to the extent that it is readily achievable to do so, assure effective communication by providing auxiliary aids and services, and eliminate discriminatory policies, practices, and procedures (see "Existing Facilities," page 14). New construction and alterations of places of **public accommodation and commercial facilities** must meet the requirements of the ADA Accessibility Guidelines. The ADA also requires courses and exams for professional and trade licensing or certification to be accessible.

ADA TITLE III JURISDICTION

Public Accommodations: Private entities that own, lease, lease to, or operate a place of public accommodation, including both landlords and tenants, are subject to the requirements of the ADA. Places of public accommodation include:

- 1) **Places of lodging.** Examples: hotels, inns, motels (except if fewer than five rooms and the residence of the owner)
- 2) **Establishments serving food or drink.** Examples: restaurants, bars
- 3) **Places of exhibition or entertainment.** Examples: theaters, cinemas, concert halls, stadiums
- 4) **Places of public gathering.** Examples: auditoriums, convention centers, lecture halls

(continued)

ADA TITLE III JURISDICTION (continued)

- 5) **Sales or rental establishments.** Examples: bakeries, grocery stores, clothing stores, shopping malls, video rental stores
- 6) **Commercial services.** Examples: banks, gas stations, funeral parlors, dry cleaners, barber shops, beauty shops, lawyer's offices, hospitals, travel services, pharmacies, offices of health care providers
- 7) **Specified transportation facilities.** Examples: depots, bus stations, terminals
- 8) **Places of public display or collection.** Examples: museums, libraries, galleries
- 9) **Places of recreation and leisure.** Examples: parks, zoos, amusement parks
- 10) **Places of education.** Examples: preschools, nursery, elementary, secondary, undergraduate, or post-graduate private schools
- 11) **Social services.** Examples: shelters, hospitals, day care centers, independent living centers, food banks
- 12) **Places of exercise and physical recreation.** Examples: gymnasiums, health clubs, bowling alleys

Commercial Facilities: privately owned facilities intended for non-residential use and whose operations affect commerce. Examples include:

- factories
- warehouses
- offices and office buildings (not open to the general public)
- other buildings where employment may take place, but that do not deal directly with the public within the facility
- any other facility that does not fall under the twelve categories of public accommodations

NOT UNDER ADA TITLE III JURISDICTION

- religious organizations
- exclusive private clubs

NEW CONSTRUCTION AND ALTERATIONS

New construction (first occupancy after January 26, 1993; completed building permit application filed after January 26, 1992) must comply with the ADA Accessibility Guidelines (ADAAG).

Any **renovations** ("alterations") that *affect the usability* of areas covered by the ADA begun after January 26, 1992 must comply with ADAAG. (This does not include, for example, roofing or wiring. It *does* cover new electrical outlets, faucet replacements, and other minor renovations that affect usability, as well as major renovations such as rest rooms and entrances.) If alterations include a primary function area, the path of travel to that area and to rest rooms, telephones, and drinking fountains serving the area should be made accessible, unless the cost would be disproportionate to the overall cost (more than 20% of the cost of renovations).

A major difference between the ADA requirements and Massachusetts' access requirements for new construction and alterations is that, under the ADA, some employee-only areas must also be accessible. The ADA requires that all spaces in a building be connected by an accessible route. The only exemptions are elevator pits, elevator penthouses, mechanical rooms, and equipment catwalks. The ADA requires access into and through work stations, but it does not require that each work station be fully accessible. Work station refinements, such as adjusted counter height, are to be individualized, based on an employee's need for reasonable accommodation.

EXISTING FACILITIES

Existing *public accommodations* are subject to three specific requirements under Title III: 1) readily achievable removal of barriers, 2) provision of auxiliary aids and services to ensure effective communication, and 3) modification of policies, practices, and procedures. (*Employee areas* in existing facilities are not covered. *Commercial facilities* are not subject to the requirements for existing facilities, but they must meet the new construction and alterations regulations of Title III.)

Readily Achievable Barrier Removal

Existing public accommodations must eliminate barriers whose removal is **readily achievable** (easily accomplishable and able to be carried out without much difficulty or expense). This is a new concept under the ADA. Elements that should be made accessible include architectural features, such

as doorways and hardware, and some structural communication features, such as telephones, signage, and alarms. The Department of Justice recommends that resources be allocated for removing barriers according to these four priorities: (1) entrance into the facility; (2) access to goods and services; (3) usability of public rest rooms; and (4) other access features.

The Title III regulations do not define exactly how much effort and expense are required for a facility to meet this obligation. Thus, the judgment of what constitutes a readily achievable modification must be made on a case-by-case basis, taking into consideration such factors as the nature and cost of the access improvements needed, and the size, type, and overall financial resources of the facility. These factors are described in more detail on page 54.

Where it is not readily achievable to remove barriers, public accommodations must provide access through alternative means (if the alternatives are readily achievable). Alternatives to barrier removal include: providing curb or home service; providing service at an alternate, accessible area; and retrieving merchandise from an inaccessible location.

The *Checklist for Existing Facilities*, provided with this workbook, has more information on the readily achievable requirement as well as questions to help identify barriers and suggestions for low-cost barrier removal.

Access to Communication

Public accommodations are required to ensure that customers or clients with visual, hearing, speech, or cognitive disabilities are provided with effective means of communication that enable them to fully benefit from the facilities, services, goods, and programs of the public accommodation. A public accommodation is not required to provide any such auxiliary aid or service if doing so would fundamentally alter the nature of its goods, services, or facilities, or if providing communication aids and services would result in an undue financial or administrative burden (i.e. *significant* difficulty or expense).

Auxiliary aids and services include a wide range of communication techniques and devices. Use of the most advanced technology or the costliest service option is not necessary if effective communication can be provided through other means. It is strongly recommended that the public accommodation take into consideration the preferences individuals with

disabilities may have for particular aids and services, but ultimately it is the decision of the public accommodation which to provide. In choosing among the alternatives, *effectiveness* should be the critical deciding factor.

Policies, Practices, and Procedures

Public accommodations are required to make reasonable modifications in policies, practices, or procedures when such modifications are necessary to provide access to individuals with disabilities, unless it can be demonstrated that making such modifications would fundamentally alter the nature of the services offered. For example, a restaurant that refuses to alter a "no animals" rule for a person who is blind and uses a guide dog, and a grocery store that limits its only accessible checkout lane to small purchases would be violating this requirement. However, it would *not* be a violation for an art gallery to refuse to modify a policy of prohibiting the handling of delicate works of art for a visitor who is blind.

ENFORCEMENT

The U.S. Department of Justice is designated as the agency responsible for enforcement of Title III. However, enforcement will also occur through private lawsuits and through alternative means of dispute resolution, such as settlement negotiations, conciliation, mediation, and arbitration, which are strongly encouraged. The Department of Justice may bring suit in cases involving a "pattern or practice of discrimination" or which raise an "issue of general public importance." In such cases, the Department of Justice may commence a civil action in the appropriate U.S. district court, which could result in a fine of \$50,000 to \$100,000 and a court order to make the necessary access improvements. In private lawsuits, no damages can be awarded, only an injunction to make the required changes.

EFFECTIVE DATES

In general, the requirements of Title III become effective on **January 26, 1992**, with the following exceptions:

- The new construction requirements are effective on January 26, 1993.
- There is a small business phase-in for the nondiscrimination, auxiliary aid, and barrier removal requirements (these do *not* apply to the requirements for new construction or alterations): (1) No lawsuit may be brought against businesses that employ twenty-five or fewer people and have annual gross receipts of \$1,000,000 or less until July 26, 1992. (2) No lawsuit may be brought against businesses that employ ten or fewer people and have gross receipts of \$500,000 or less until January 26, 1993.

NOTE:

The Architectural Access Board is in the process of revising its Rules and Regulations to achieve substantial equivalency with the ADA Accessibility Guidelines. Contact the Massachusetts Office on Disability for further information.

MASSACHUSETTS ARCHITECTURAL ACCESS BOARD RULES AND REGULATIONS (521 CMR)

NEW CONSTRUCTION

New facilities must be constructed to comply with the AAB regulations. The version of regulations that applies depends upon the permit date of the facility. The regulations were first published in 1975, and were revised in 1977, 1982, and 1987.

RENOVATIONS

Any renovations made to facilities under AAB jurisdiction must comply with the AAB regulations (e.g., if the rest room is renovated, then the rest room must be accessible). Depending on the cost of the renovation, the facility may also be required to provide an accessible entrance and rest room, or to make the entire facility accessible (see page 31).

VARIANCES

The Architectural Access Board (not the building inspector) has the authority to grant variances if compliance with the regulations is technologically infeasible or if the cost of compliance is excessive and without any substantial benefit to people with disabilities. The Board may also allow alternate accessibility for registered historical buildings or districts owned or protected by the government. The owner of a facility is required to request a variance for every area that does not comply with or is not expected to comply with the AAB regulations.

ENFORCEMENT

Local building inspectors have the authority to enforce the AAB regulations. In addition, individuals may file complaints with the Architectural Access Board. When the AAB receives a complaint, they send a letter to the owner or manager of the organization, listing the alleged violations. Depending on the response of the owner, a hearing may or may not be held. If the AAB issues an order and the required changes are not made, the facility in violation of the regulations may be subject to fines of up to \$1000 per day, per violation.

EFFECTIVE DATES

In effect for facilities built with public funds since December 1968, or with private funds since June 10, 1975.

AAB JURISDICTION

- 1) **State, county, city or town buildings.**
Examples: state office buildings, legislative offices, city/town halls, libraries, police stations, detention facilities, court houses, schools, recreation centers.
- 2) **Transportation terminals.**
- 3) **Commercial buildings, with a building permit dated before July 10, 1987, exceeding 2 stories in height and in which more than 40 people are employed.**
OR: Commercial buildings, with a permit dated on or after July 10, 1987, where the service or product is offered to the public, or premises in which a member of the public may enter.
Examples: retail stores, banks, insurance offices.
- 4) **Funeral homes.**
- 5) **Public rest rooms.**
- 6) **Places of public assembly with a capacity of more than 150 persons.**
Examples: theaters, auditoriums, armories, lecture halls, arenas, stadiums. (Lobbies, ticket offices, seating, stages, backstage areas, dressing rooms, showers, and green rooms must all be accessible.)
- 7) **Hotels, motels, or inns with 20 or more units.** (At least 5% of the units must be accessible. If the facility consists of more than one building, all of the buildings in the complex or project are added together to apply the 5% rule.)
- 8) **Public sidewalks and ways.**
- 9) **Apartment buildings, lodging and residential facilities for rent, hire or lease containing 12 or more units.** (If 12 or more units, all public areas must be accessible; if 20 or more units, 5% of the units must be accessible. If the facility consists of more than one building, all of the buildings in the complex or project are added together to apply the 5% rule.)
- 10) **Public areas of privately-owned residential condominiums containing 12 or more units.**

(continued)

AAB JURISDICTION (continued)

- 11) **Residential condominiums and apartments** with first occupancy after March 13, 1991, containing 3 or more units. (*All units must meet adaptability standards, once they become final; until that time, they are subject to the Fair Housing Accessibility Guidelines. In facilities with no elevator, at least the ground floor units must meet adaptability standards.*)
- 12) **Buildings in which medical service or treatment is provided.**
Examples: hospitals, clinics, dental offices, sanatoriums, alcohol and drug detoxification centers, and buildings in which one or more doctors provide health services similar to those provided by any of the above.
- 13) **Houses of worship.**
Examples: churches, chapels, synagogues, religious meeting halls and administrative offices.
- 14) **Restaurants.**
Examples: cafeterias, lounges, bars, and other places open to the public where food and beverages are served.
- 15) **Educational institutions.**
Examples: libraries, public and private schools, preschools, day care facilities, colleges and universities, training facilities.
- 16) **Recreational facilities.**
Examples: rinks, courts, swimming pools, gymnasiums, stadiums, health and sports clubs, playgrounds, zoos, fairgrounds, beaches, piers, parks, and campsites.
- 17) **Publicly used parking lots** with a capacity of 25 or more vehicles, built before July 10, 1987.
OR: Publicly used parking lots with a capacity of 15 or more vehicles, built on or after July 10, 1987.

(continued)

NOT UNDER AAB JURISDICTION

- 1) Federal buildings
- 2) Apartment buildings with fewer than 3 units
- 3) Hotels and motels with fewer than 20 units
- 4) Residential condominiums with fewer than 3 units
- 5) Places of assembly for fewer than 150 people
- 6) Private clubs (if not open to the public)

RELATED FEDERAL LAWS

The material in this section has been adapted from the fact sheet "Disability Laws," produced by the Massachusetts Office on Disability.

ARCHITECTURAL BARRIERS ACT OF 1968

Requires that, whenever possible, persons with physical disabilities have ready access to and use of all buildings which are used by the public or in which people with physical disabilities may live or work, and which were either: (a) constructed, or altered by or on behalf of the federal government after August 12, 1968; (b) leased in whole or in part after August 12, 1968 by the federal government; or (c) financed in whole or in part by a grant or loan made by the federal government after August 12, 1968. The ABA became effective when standards were issued on September 2, 1969. A 1976 amendment later established January 1, 1977 as the effective date for facilities leased by the federal government. The applicable technical standard is the Uniform Federal Accessibility Standards.

AIR CARRIERS ACCESS ACT OF 1986

People with disabilities may not be refused transportations because of their disability by domestic air carriers. Provisions include: Air carriers may not limit the number of people with disabilities on a flight, may not require special services (such as advance boarding), may not require advance notice except for certain accommodations, may not require travel with an attendant except in limited circumstances, must provide boarding assistance and assistance within the cabin, must give priority to storage of

wheelchairs and may not charge for accommodations required by the rule. New aircrafts over certain sizes must have movable arm rests, accessible lavatories, and space for storing wheelchairs. (The larger the aircraft, the more access is required.)

VOTING FOR THE ELDERLY AND HANDICAPPED ACT

Requires that in each state the political subdivision responsible for conducting elections assure that all polling places for federal elections be accessible. In Massachusetts, the Elections Division of the Secretary of State's Office has written regulations that apply to site access, parking, entrances, voting equipment, etc. All municipalities are responsible for following these regulations. The Department of the Attorney General has taken the position that state and municipal elections should also be accessible to people with disabilities.

REHABILITATION ACT OF 1973

In 1973, Congress passed the Rehabilitation Act in a national effort to end discrimination on the basis of disability by agencies and organizations that receive or benefit from federal financial assistance. The five major components of the Rehabilitation Act, as amended, are outlined below.

Section 501 prohibits discrimination and requires adoption of affirmative action plans for hiring, placement, and advancement of individuals with disabilities within federal agencies and the U.S. Postal Service.

Section 502 establishes the Architectural and Transportation Barriers Compliance Board to implement and enforce the Architectural Barriers Act of 1968.

Section 503 prohibits discrimination on the basis of disability and requires affirmative action in hiring people with disabilities when the employer has a contract or subcontract with the federal government in excess of \$2500.

Section 504 prohibits discrimination against people with disabilities under any program or activity receiving or benefiting from federal financial assistance. It states that "no otherwise qualified handicapped individual in the United States...shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance

or under any program or activity conducted by any Executive agency or by the United States Postal Service.”

Organizations, such as colleges, public schools, libraries, hospitals, or cultural programs, that receive or benefit from federal funds under the regulations must provide equal opportunity for people with disabilities in their programs and activities. Remedying actions might include the provision of sign language interpreters, distribution of material in large print or braille, or relocating a class to an accessible location. Every part of every building must not necessarily be accessible, but the program, when viewed in its entirety, must not discriminate against or segregate people with disabilities.

Organizations receiving federal funds are required to consult with disability groups to conduct a Self-Evaluation and a Transition Plan. Public housing authorities are also required to do a Needs Assessment.

Each federal agency has adopted its own 504 regulations with their own effective dates.

For more information on Section 504, contact the Massachusetts Office on Disability, or the Disability Law Center (see Resources).

Section 505 outlines the remedies, procedures, and rights available to a complainant under 501 and 504. It allows a court to award reasonable attorney’s fees to a plaintiff who prevails in a discrimination case.

FAIR HOUSING AMENDMENTS ACT OF 1988

Amends Title VIII of the Civil Rights Act of 1968 (Fair Housing Act) to extend protection of equal housing opportunity to include people with disabilities and families with children. (The Fair Housing Act prohibited discrimination on the basis of race, color, religion, sex, familial status, or national origin.) Prohibits private and public entities from discriminating against people with disabilities and families with children in all housing practices, effective March 13, 1989. Establishes national accessibility and adaptability standards for new multifamily construction of four or more units available for first occupancy after March 13, 1991. Requires housing providers to allow tenants with disabilities to make “reasonable modifications of existing premises” and reasonable accommodations in policies.

The tenant pays for modifications and may be required to return the unit to its original condition upon moving.

For more information on the FHAA, contact the U.S. Department of Housing and Urban Development (HUD), the Massachusetts Office on Disability, the Massachusetts Commission Against Discrimination, or the Disability Law Center (see Resources).

RELATED MASSACHUSETTS LAWS

The material in this section has been adapted from the fact sheet "Disability Laws," produced by the Massachusetts Office on Disability.

CONSTITUTIONAL AMENDMENT ARTICLE 114 (1980)

States: "No otherwise qualified handicapped individual shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity within the Commonwealth." Article 114 is broadly written; it prohibits discrimination on the basis of disability on any level within the state, by private businesses, nonprofit organizations, and state, county, and municipal governments.

PUBLIC ACCOMMODATIONS LAW OF 1979

Prohibits discrimination on the basis of disability in places of public accommodation. A public building is defined as any place that is open to and accepts the general public. The law prohibits discrimination not only in terms of building access but also in terms of business or services. This law also prohibits discrimination against a person who is blind, deaf, or hard of hearing, or any other person with a disability, who uses a support or guide dog.

EXECUTIVE ORDER 246 (1984)

Prohibits discrimination and mandates affirmative action to ensure equal opportunity for people with disabilities in the Commonwealth. The requirements of this Order apply to state executive agencies' internal policies and practices, such as employment and the granting of licenses, as well as to recipients of state funding, including contract and grant recipients such as municipalities. Each agency under an executive office is supposed to create an affirmative action plan that includes goals and

methodology for the placement of people with disabilities in the state's work force. All state employment, services, and activities should be accessible and nondiscriminatory on the basis of disability. Programs and activities that must comply include: employment and training services, health care facilities licensed or chartered by the state, private educational institutions licensed or chartered by the state and those that receive state assistance or participate in state programs, or a person, corporation, or business that is licensed or chartered by the state.

MASSACHUSETTS HOUSING BILL OF RIGHTS

Extends the same protection as the federal Fair Housing Amendments Act of 1988, but only owner-occupied, two-family units are exempt from the provision. Prohibits discrimination in private and public housing, and requires new construction and alterations to meet specific design guidelines. It is illegal for a landlord to ask about a person's disability except to inquire about qualifications for a specific type of unit ("Do you have a condition that qualifies you for a wheelchair-accessible unit?"). Only medical opinions that address specific qualifications for a particular unit may be sought ("Does Jane Doe have a condition that qualifies her for a unit for people with mental retardation?").

If there are three or more units, accommodations must be made to rules or policies if the accommodations are needed for a person with a disability to use or enjoy the premises. A person with a disability may make reasonable modifications to the premises at his or her own expense, or, in the case of publicly-assisted housing or housing with ten or more units, the landlord is responsible for paying for reasonable modifications unless they would impose an undue hardship. New construction of housing with three or more units ready for first occupancy after March 13, 1991 must be adaptable, consistent with AAB regulations. (Proposed AAB regulations incorporate adaptability standards.)

The law also requires a central registry under the Massachusetts Rehabilitation Commission to match available accessible and adaptable housing units with people who need them.

Planning

Follow the steps outlined in this section to prepare yourself to conduct an access assessment. Remember: although some people are effective advocates working individually, you are encouraged to work with other individuals and organizations to be most effective in your advocacy work. Also, don't forget that help is available to you when you need it; the Resources section lists useful organizations and publications.

OVERVIEW OF STEPS

- STEP 1 • Get connected and get organized.
- STEP 2 • Choose an organization to work with.
- STEP 3 • Obtain information.
- STEP 4 • Determine which access laws apply.
- STEP 5 • Find out if any exemptions apply.
- STEP 6 • Contact the owner or facility manager.
- STEP 7 • Prepare for the site visit.

STEP 1: Get connected and get organized.

Get in touch with your local Commission on Disability and Independent Living Center. Introduce yourself; let them know you are a Community Access Monitor. Try to get a sense of how the advocacy activity in your community is organized and how you can best fit into the effort.

It is most effective and efficient to work with other individuals and disability organizations in your community or municipality. However, there may be times that you will do individual work; for instance, to follow up on a complaint, to respond to a specific request by the director of an organization, or at times when you may be the only one who perceives a problem that needs to be addressed. You might be very effective working on your own.

Contact the Chamber of Commerce or Downtown Professional Association to find out what they are doing, and offer your cooperation on an existing or new task force on ADA compliance or in co-sponsoring an ADA forum.

If no one has done so yet, make a list of all of the organizations, businesses, agencies, and state and municipal government departments in your community (for the purposes of this workbook, all of these are called "organizations"). This will enable you to work your way through your community systematically, and to coordinate the efforts of several groups. Below is a sample list of facilities and programs to get you started.

COMMUNITY CHECKLIST

State Facilities

Welfare Office
Schools
Court Houses
Registry of Motor Vehicles
Department of Employment
etc...

Social Service Organizations

Health Centers
Houses of Worship
Hospitals
YMCA
Homeless Shelters
Day Care Centers
Rehabilitation Programs
Home Care Agencies
Counseling Services
Adoption Agencies
Recreation Centers
etc...

Municipal Facilities

Police Station
Town/City Hall
Fire Station
Libraries
Parks
Schools
etc...

Businesses

Supermarkets
Banks
Restaurants
Cleaners
Pharmacies
Retail Stores
Doctor's Offices
Dentist's Offices
Theaters
Apartment Buildings
etc...

NOTE:

For the purposes of this workbook, an "organization" can be a business, nonprofit agency, government department, or any other organization open to the public.

STEP 2: Choose an organization to work with.

Decide on an organization you would like to work with on access. This is easier when you are well connected with other accessibility advocates. Your local Commission on Disability or Independent Living Center might suggest an organization that needs work, or you may have a particular one in mind. Your interest in a particular organization may be prompted by, among other things, a complaint or concern voiced by a member of the community, the request of an owner seeking to make changes, the completion of a new building, or personal reasons of your own.

Check with the local Commission on Disability and/or Independent Living Center whether the organization you are interested in working with has already been or is currently being assessed for accessibility. If the organization has already been evaluated, select another organization to work with. (If you are interested, the Commission or Independent Living Center may be able to inform you of the results of a previous survey). If someone is currently working with the organization, ask whether your help on the project would be useful, or select another organization.

STEP 3: Obtain information.

Make a photocopy of the Information Worksheet, or call the Massachusetts Office on Disability for copies.

Obtain the information you need for the first section of the Information Worksheet (on page 29) now. As you do Steps 4 and 5, you will fill out the remaining sections.

When you do the assessment of the organization, you will bring along the completed Information Worksheet, which will contain all the data you need.

HOW TO OBTAIN INFORMATION

Type of Information	How to Obtain
Name and exact address of organization	Check the phone book, or call the organization if necessary.
Name, address, phone of owner/manager	Call the municipal tax assessor's office (you'll need the exact street address), or call the organization.
Permit date for original construction	Call the local building department.
Renovations, permit dates, amounts	Call the local building department.
Tax Assessed Value (if renovations done)	Call the local assessor's office.
Federal funding	Call the organization.

NOTE:

Find out whether the organization is a recipient of federal funds if it is a social service agency (such as a day care center or substance abuse treatment center) or a state or municipal agency. You may wait until after the initial contact with the owner or manager to ask for this information.

If you call the organization for preliminary information (address, name of owner, etc.), be tactful. Avoid sounding confrontational. Simply ask politely for the information you need, and request only the information that you cannot find some other way.

INFORMATION WORKSHEET**(A) Complete this section now:**Name/description of organization: _____

- ☐ public accommodation
☐ commercial facility
☐ state or local government agency
☐ religious organization
☐ housing

Exact street address: _____

Number of stories: _____

Name, address, phone of current owner/manager: _____

Permit date for original construction: _____

Have any renovations been done? ☐ YES ☐ NO

Permit date Dollar amount

_____ \$ _____

_____ \$ _____

_____ \$ _____

If renovations have been done:

Tax Assessed Value (TAV) at time of permit: \$_____

Have renovations been done in a primary function area since January 26, 1992?

☐ YES

☐ NO

If yes: Subject to accessible **path of travel** requirement under the ADA.

Is organization receiving federal financial assistance? ☐ YES ☐ NO

If yes: Organization may need to comply with Section 504.
Contact the Office on Disability for further information.

(B) Complete this section after Step 4:

Check all that apply to this organization (from decision trees):

- ☐ AAB
- ☐ ADA Title II new construction or alterations
- ☐ ADA Title II existing facilities
- ☐ ADA Title III new construction or alterations
- ☐ ADA Title III existing facilities

(C) Complete this section after Step 5 (check all that apply):

- ☐ Historic building; variances/exemptions may apply (see page 38).
- ☐ Elevator exemption applies (see page 39).
- ☐ The organization has received variances from the Architectural Access Board (see page 39). List/describe:

(D) Complete this section if organization is under AAB jurisdiction and facility has undergone renovations since June 10, 1975:**NOTE:**

The Architectural Access Board is in the process of revising its Rules and Regulations to achieve substantial equivalency with the ADA Accessibility Guidelines. Among other revisions, the compliance formula will change. Contact the Massachusetts Office on Disability for further information.

For a facility with a building permit issued since April 1, 1982, use the compliance formula below to determine which parts of the building (if any) must comply with the AAB regulations. (See next page for how to calculate percentages.)

Cost of renovations**over any two-year period**

less than 25%* Tax Assessed Value (TAV) and less than \$50,000

less than 25% TAV and \$50,000 or more

over 25% TAV

Parts of facility that must comply

☐ only renovated parts must comply

☐ renovated parts must comply PLUS addition of accessible rest room (if public rest room provided) and accessible entrance required

☐ entire building must comply

If the facility was renovated before April 1, 1982, call the Office on Disability for compliance information.

Calculations

- 1) Add the highest dollar amounts for renovations over any two-year period:

$R = \text{cost of renovations} = \underline{\hspace{2cm}}$

- 2) Multiply this total by 100:

$R \times 100 = \underline{\hspace{2cm}}$

- 3) Divide this number by the TAV (from Part A of Worksheet):

$\frac{R \times 100}{TAV} = \underline{\hspace{2cm}} = \text{the \% of TAV that renovations cost}$

Example: If the TAV of a building is \$100,000, and the highest cost of renovations over a two-year period is \$20,000, then the % is:

$$\frac{20,000 \times 100}{100,000} = 20\%$$

STEP 4: Determine which access regulations apply.

Use the decision trees that follow to determine which access laws apply to the organization you are interested in working with. Refer to Part A of the Information Worksheet (page 29) for the following information:

- Type of organization
- Building permit date
- Renovation permit dates and dollar amounts
- Type of renovations

Once you have determined which regulations apply, complete Parts B and D of the Information Worksheet (pages 30–31).

USING THE DECISION TREES

The decision trees enable you to determine which regulations apply so that you can proceed appropriately with your assessment and advocacy work. As you go through each step of this workbook, you should keep in mind which requirements apply to the organization with which you are working.

There are decision trees for two categories of organizations:

- 1. State, County, and Municipal Governments.** This category includes state or local governments, authorities, agencies, and services.
- 2. Public Accommodations and Commercial Facilities.** This category includes privately owned or operated places, including retail establishments, restaurants, professional offices, hotels, museums, theaters, private schools, factories, warehouses, and any other place where employment takes place.

Trace down through the appropriate decision tree. Follow the boxes that describe the organization you are interested in working with; this path will determine which nondiscrimination laws and requirements apply to the organization. Record the result in Part B of the Information Worksheet (page 30).

(continued)

USING THE DECISION TREES (continued)

These types of organizations do *not* appear on the decision trees:

Housing. Publicly-funded and private housing facilities are covered by the AAB regulations, the federal Fair Housing Amendments Act and the Massachusetts Housing Bill of Rights. Contact the Massachusetts Office on Disability or the Massachusetts Commission Against Discrimination for more information.

Federal government and organizations that are recipients of federal funding. These are covered by Section 504 of the Rehabilitation Act of 1973 and the Architectural Barriers Act of 1968. Information on these laws appears on pages 20–21; contact the Massachusetts Office on Disability for more information.

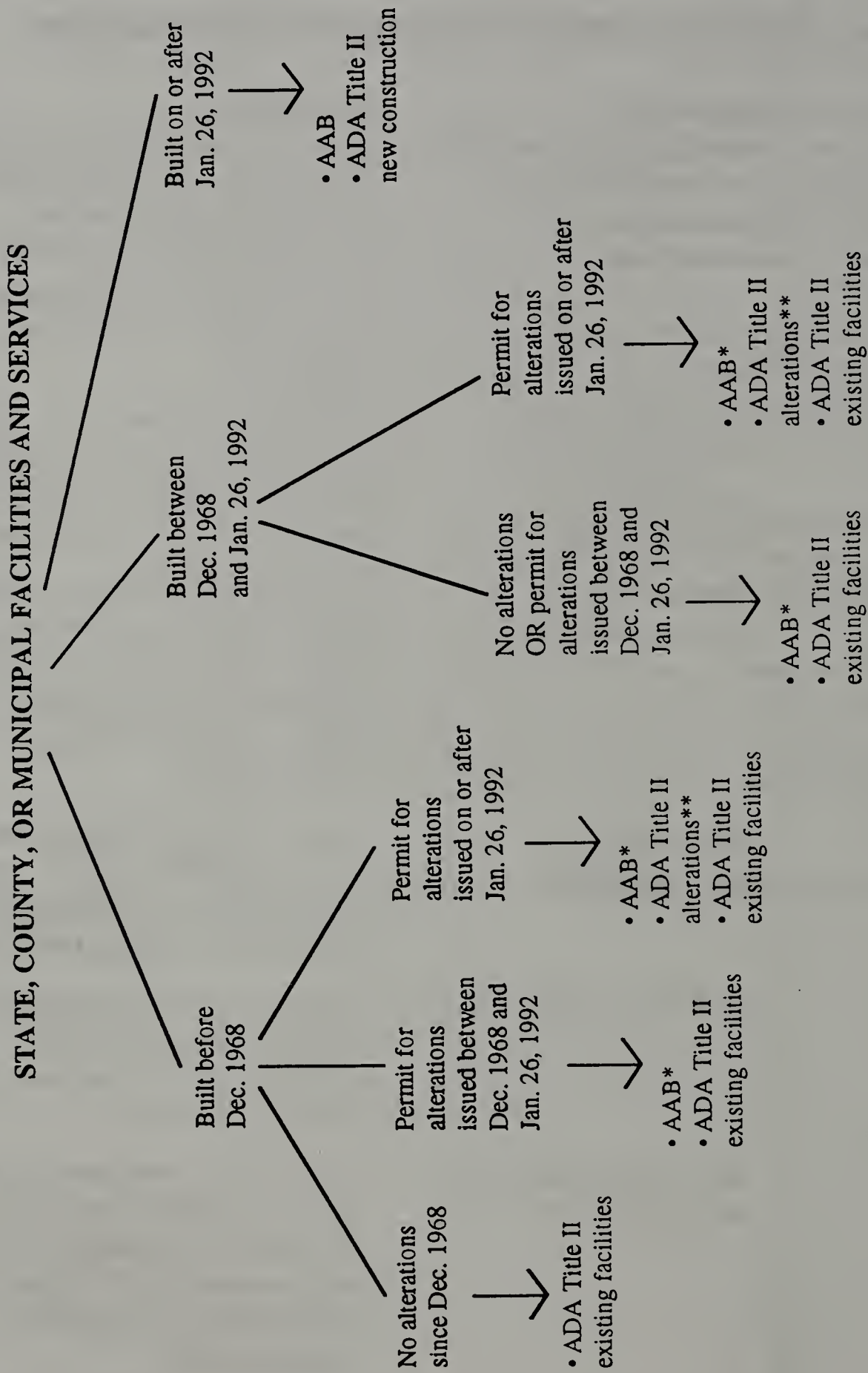
Religious organizations. If their facilities were built or renovated after June 10, 1975, religious organizations are covered only by the Massachusetts AAB regulations. (Religious facilities built before that date are not covered by any access law.)

Exclusive private clubs. Voluntary private membership associations, such as literary, religious, or investment clubs, are exempt from access laws. However, clubs whose membership or facilities are open to or are made available to the public are *not* exempt.

(continued)

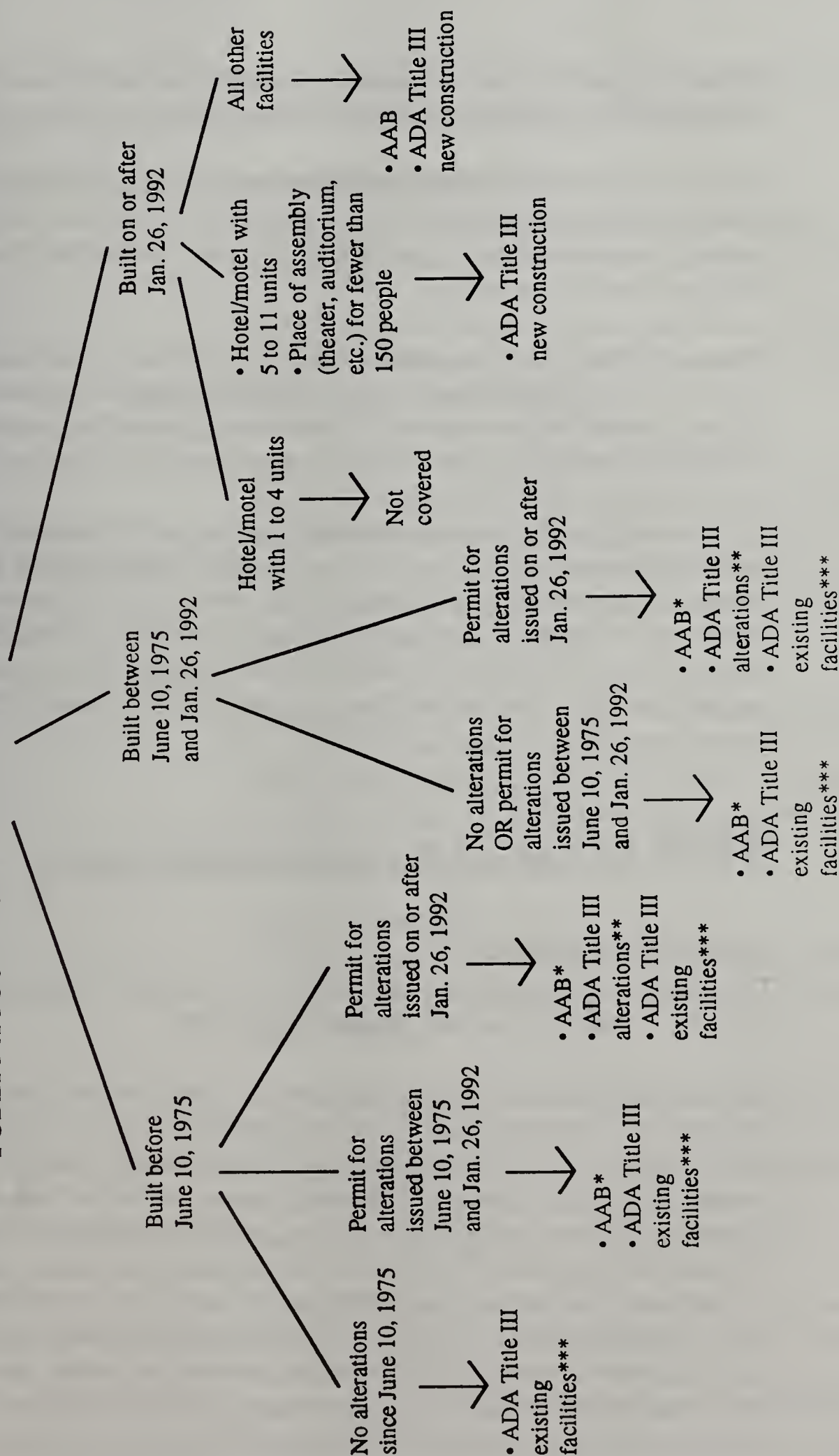
USING THE DECISION TREES (continued)

Regulation	Requirements
ADA Title II (state/local government services): new construction and alterations	Design and construct to be accessible. Comply with ADA Accessibility Guidelines or Uniform Federal Accessibility Standards. Ensure nondiscriminatory practices, effective communication, and program accessibility.
ADA Title III (public accommodations): new construction and alterations	Design and construct to be accessible. Comply with ADA Accessibility Guidelines. Ensure nondiscriminatory practices and effective communication.
ADA Title II: existing facilities	Ensure nondiscriminatory practices, effective communication, and program accessibility through structural or programmatic modifications. Conduct Self-Evaluation and develop Transition Plan.
ADA Title III: existing facilities	Readily achievable barrier removal. Ensure nondiscriminatory practices. Ensure effective communication with auxiliary aids and services.
AAB Rules and Regulations	Design, construct, and renovate facilities to comply with the Massachusetts Architectural Access Board regulations.
Section 504 of Rehab. Act existing facilities	Ensure nondiscriminatory practices, effective communication, and program accessibility through structural or programmatic modifications. Conduct Self-Evaluation and develop Transition Plan.



* For AAB alterations, use the formula on page 31 to determine which parts of the facility must comply with AAB regulations.
 ** For ADA alterations, see discussion on page 14.

PUBLIC ACCOMMODATIONS AND COMMERCIAL FACILITIES



* For AAB alterations, use the formula on page 31 to determine which parts of the facility must comply with AAB regulations.

** For ADA alterations, see discussion on page 14.

*** Public accommodations only (no ADA requirements for existing commercial facilities).

If you determine that the organization is under the jurisdiction of the ADA and/or the AAB, proceed with the steps outlined in this workbook.

If you believe the organization is under the jurisdiction of Section 504: Contact the Massachusetts Office on Disability for information and assistance if you would like to pursue work with that organization. If not, select a different organization.

If you are interested in pursuing an individual housing complaint under the Fair Housing Amendments Act or the Massachusetts Housing Bill of Rights: Contact the Massachusetts Commission Against Discrimination or the Massachusetts Office on Disability for assistance in how to proceed.

If you determine that the organization is not required to comply with any of the access laws, you can still encourage the organization to make access improvements by using some of the advocacy techniques outlined in this workbook. Contact your local Commission on Disability or Independent Living Center for assistance and support. Or, select another organization to work with, one that is covered by one or more of the access laws.

STEP 5: Find out if any exemptions apply.

HISTORIC BUILDINGS

If the facility is historic, as defined below, check off “Historic building” in Part C of the Information Worksheet (page 31).

Historic buildings are not exempt from access laws; however, they are allowed some flexibility by both the AAB and the ADA. The AAB may grant variances to historic properties, permitting them to provide alternate access. The ADA requirements for readily achievable barrier removal and alterations apply to historic buildings (i.e., buildings eligible for listing in the National Register of Historic Places or designated as historic under state or local law) unless it would threaten or destroy the historic significance of a feature of the property. In those circumstances, alternative standards may be used, such as providing only one accessible unisex rest room, having an alternate accessible entrance, or using a slightly steeper ramp. If even these minimal alternative requirements are not possible,

access may be provided by adapting programs or activities, modifying policies, or providing auxiliary aids or services.

ELEVATOR EXEMPTION

If the elevator exemption described below applies, check off “Elevator exemption applies” in Part C of the Information Worksheet (page 31).

The AAB requires elevators in all major renovations and new buildings of three stories or more under its jurisdiction. Elevators or ramps are required in all two-story buildings.

However, for buildings covered *only* by the ADA, there is a significant exemption. Elevators are not required in new buildings of less than three stories or in buildings of any height with less than 3000 square feet per story. This exemption does *not* apply to transportation facilities, health care providers, or shopping malls; under the ADA (as under AAB), these facilities must have elevators.

Even when an elevator is not required, other accessibility specifications must be met on *all* stories, so that the building will be accessible to people who can use stairs but who may have other limitations. Also, if it later becomes possible to install an elevator, the upper levels will already be accessible.

AAB VARIANCES

If the facility is under the jurisdiction of the Architectural Access Board, contact the AAB or the local building inspector to find out if it has been granted any variances.

The Architectural Access Board can grant variances if compliance with the regulations is *technologically infeasible* or if the *cost of compliance is excessive and without any substantial benefit to people with disabilities*. The Board may also allow alternate accessibility for registered historical buildings or districts owned or protected by the government.

Note that the use of a vertical lift or an elevator smaller than the specifications of the AAB regulations *always* requires a variance.

List variances in Part C of the Information Worksheet (page 31). Refer to this information while you do the assessment of the organization.

THE VARIANCE PROCESS

The owner of a facility (or his or her representative, such as an architect) is required to request a variance for every area that does not comply with or is not expected to comply with the AAB regulations. To request a variance, the owner or representative submits an application, along with backup documentation, including architectural plans, photographs, and cost estimates. Based on a preliminary discussion, the Architectural Access Board either grants or denies the variance petition, or schedules a hearing for the petitioner to present his or her case.

If a petition is denied without a hearing, the petitioner can request a hearing before the Board. If the petitioner disagrees with the Board's decision, he or she can file an appeal in Superior Court. The Board may also reopen the case if the petitioner has new information or evidence that was not available at the time of the original hearing.

The local commission, Independent Living Center, and building inspector are notified by the AAB of all variance requests for facilities in their municipalities. They are also informed of the AAB's final decision.

There is no variance process under the Americans with Disabilities Act.

STEP 6: Contact owner or manager.

Contact the owner or manager of the organization to inform him or her of your interest in working to improve accessibility. Introduce yourself and the project, and propose a date and time to visit the organization.

If you like, you can adapt the model letter on page 41. Use Massachusetts Office on Disability letterhead, or use a header with your own name, address, and phone number. Send a copy of the letter to the local Commission on Disability and, if the organization is under AAB jurisdiction, to the local building inspector.

INITIAL CONTACT LETTER MODEL

(Name of owner or manager)

(Name of organization)

(Address)

(Date)

Dear (Name of owner or manager):

I am a member of the community concerned about access for people with disabilities. I have been designated a Community Access Monitor by the Massachusetts Office on Disability. In this capacity, I am helping businesses, agencies, and other organizations identify physical and communication barriers.

If organization is
covered by ADA only
or both ADA and AAB

As you may know, the federal Americans with Disabilities Act is now in effect, and may impact your organization. I am interested in working with (name of organization) to improve access to your (store, restaurant, business, etc.) and, in particular, to help you meet the requirements of the ADA if you have not already made plans to do so.

If organization is
subject *only* to
AAB regulations

As you may know, the Massachusetts access regulations impact your organization. I am interested in working with (name of organization) to help you meet your accessibility requirements.

I will call you soon to give you more information and to find out when would be a convenient time to visit your facility, or you may feel free to contact me at (phone number). Thank you.

Sincerely,
(Signature)

(Your name)
Community Access Monitor

cc: Massachusetts Office on Disability
(Name of local building inspector if organization is under AAB)
(Municipal Commission on Disability)

Follow up your initial letter with a phone call several days later to plan a meeting place and time. You may use or adapt the model format below if you like.

FOLLOW-UP PHONE CALL MODEL

Hello Mr./Ms. _____. My name is _____. I sent you a letter on (date) about the Massachusetts Office on Disability Community Access Monitor Project.

If organization is an existing public accommodation covered by the ADA

Are you familiar with the Americans with Disabilities Act? It requires public accommodations like yours to make improvements to accessibility. Are you already working on this? I'd like to help you identify the barriers in your (store, restaurant, business, etc.) so that you can consider which ones might be easily removed.

If organization is a state or local government service covered by the ADA

You must be familiar with the Americans with Disabilities Act, which requires state and local governments to provide access to their programs and services. Do you know whether this municipality has conducted a Self-Evaluation and prepared a Transition Plan, or whether you are in the midst of doing this now? I'd like to help you identify areas where your activities are inaccessible, so you can consider ways to provide improved access to them.

Would it be possible to arrange a time for me to visit your (store, restaurant, business, etc.)? Afterwards I'll prepare a brief summary of your access issues, which I'll send to you. (*Arrange time.*)

Would you like to have someone accompany me while I survey? It will take about one to two hours. (*Get name.*)

Where would be a convenient place to meet? (*Arrange place.*)

Do you have any questions?

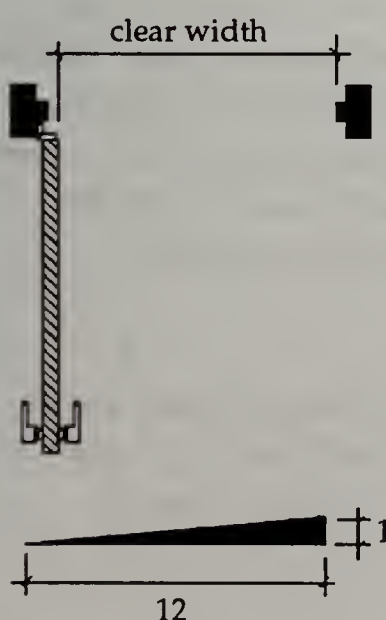
Great. I'll be there on (date) at (time). Thank you very much.

NOTE:

The AAB survey is based on the July 10, 1987 version of the regulations. For facilities under AAB built or renovated before then, call MOD for copies of past versions.

NOTE:

Keep in mind that for facilities under ADA Title II, the goal is **programmatic access**. Structural changes are not always required where alternative methods provide adequate access (see page 10).



STEP 7: Prepare for the site visit.

Obtain copies of the appropriate survey forms. Checklists are provided in this workbook. Read through them to be sure all instructions and questions are clear to you.

Refer to Part B of the Information Worksheet (page 30), then find the applicable access regulation(s) in the lists below to determine which survey forms you will need (check all forms needed):

- ☐ **AAB/ADAAG Checklist:** AAB; ADA Title II new construction or alterations; ADA Title III new construction or alterations.
- ☐ **Checklist for Existing Facilities.** ADA Title II existing facilities; ADA Title III existing facilities.
- ☐ **Addendum to Checklist for Existing Facilities.** ADA Title III existing facilities.
- ☐ **Communication Worksheet for ADA Title II Entities.** ADA Title II new construction or alterations; ADA Title II existing facilities.

Know how to take all required measurements. Review the instructions below.

HOW TO MEASURE...

Doorway clear width

With the door open to a right (90°) angle, measure from the inside edge of the door (near the hinge) to the inside of the latch-side door frame.

Ramp slope

The slope is a ratio of the height to the length. 1:20 means that for every inch of height, the base has 20 inches. For a 1:12 maximum slope, *at least* one foot of ramp length (measured along the base) is needed for each inch of height.

(continued)

HOW TO MEASURE... (continued)

Ramp width	Measure from the inside of one handrail to the other.
Height of object	Measure from floor or ground surface to highest operable part of object.
Usability of controls and handles	Use this test: Try opening the door or operating the control using only one hand, held with fingers curled. If you can do it, so can a person who has limited use of his or her hands.
Door opening force	<p>A door pressure gauge (\$15 from Howard Manufacturing Company, 303-794-2510 phone, 303-794-3703 fax) can be used to measure the force required to <i>push</i> open a door. Press the push cap at approximately the height of the handle, and read off the amount of force shown on the scale.</p> <p>A fish scale (under \$10 at fishing tackle suppliers) can be used to measure the force required to <i>pull</i> open a door. Attach the hook of the fish scale to the doorknob or handle. Pull on the ring end of the scale until there is enough force to open the door. Read off the amount of force required.</p> <p>If you are unable to obtain either one of these devices, you will need to judge subjectively whether a door is easy enough to open.</p>

(continued)

HOW TO MEASURE... (continued)

Non-slip floor surface

The technical definition of "non-slip" given in the AAB regulations is: "A condition in which a rubber heel, cane tip or crutch tip will not slip when pressure is applied at an angle of seventy (70) degrees on a level wet surface." If it is possible for you to test the floor using this method, do so.

However, in practice, since floor surfaces vary considerably depending on conditions, whether or not a floor fits the definition of "non-slip" is often a judgment call. In general, surfaces such as broom-finish concrete, thermal-finish granite, unglazed brick or concrete pavers, and unglazed quarry tile are non-slip; while terrazzo, polished marble or other polished stone, high-gloss applied surfaces such as polished varnish, and glazed tile are generally considered slippery.

Enlist help if possible. It is easiest for two or three people to do a survey. With three people, one person takes notes, while the other two take measurements.

Make sure you have everything you need when you go to the site. Review the checklist below before you leave.

WHAT TO BRING

- ☐ Community Access Monitor certificate
- ☐ Completed Information Worksheet
- ☐ Survey forms
- ☐ Applicable design standards, with list of sections that apply
- ☐ Blank paper and graph paper
- ☐ Pens and pencils
- ☐ Flexible steel tape measure
- ☐ Door pressure gauge or fish scale (if possible)
- ☐ Camera, film, and flash (optional)

When you arrive at the site (or in advance, if possible), you might want to sketch the layout of all interior and exterior spaces. A short course in basic sketching and measuring skills is provided in the Appendix.

The Site Visit

On the day of the assessment, meet your contact on time at your designated meeting place. Be professional and polite; be respectful of other people who may be working in or using the building.

OVERVIEW OF STEPS

STEP 8 • Visit the organization to assess its accessibility.

STEP 8: Visit the organization to assess its accessibility.

Using the appropriate survey forms, assess the architectural, communication, and programmatic accessibility of the organization. Survey forms are provided in this workbook. Look at interior and exterior spaces to evaluate architectural, communication, and programmatic accessibility. Keep legible and accurate notes. (When in doubt as to whether or not to write something down, write it down.) If possible, take pictures of examples of accessible and inaccessible spaces and features. Be sure to note on the survey form where you have taken photographs.

Remember: Under Title III of the ADA, existing facilities are not required to be fully accessible (i.e., compliant with all requirements of the ADA Accessibility Guidelines). The barrier removal requirement for existing facilities is limited to those changes that are readily achievable. The intent is that facilities become *usable* by people with disabilities. For example, a deviation of an inch or two from a dimension specified in ADAAG may not be a barrier if it does not affect usability. Review the *Checklist for Existing Facilities* and the *ADA Title III Fact Sheets* for more information on the barrier removal requirement and on alternatives to barrier removal.

ADA/AAB Checklist for new construction and alterations

ACCESSIBLE ROUTES

Section	Issue	Comment	AAB	ADA
				<u>YES</u> <u>NO</u>
ada 4.3.2	Are accessible entrances connected by an accessible route to public transportation, parking, passenger loading zones, streets, sidewalks and other accessible spaces within the facility?			<u>✓</u> <u>—</u>
aab 21.2 &22.1 ada 4.33	Are walks at least 48 in. wide? " " " 36 in. wide?			<u>✓</u> <u>—</u> <u>—</u> <u>—</u>
aab 22.2 ada 4.3.6	Is there a continuous common surface with no level changes greater than 1/2 inch?		<u>✓</u> <u>—</u>	<u>✓</u> <u>—</u>
aab 21.2 &22.1 ada 4.3.7	Is the slope no greater than 1:20 (5%)?		<u>✓</u> <u>—</u>	<u>✓</u> <u>—</u>
aab 21.2 &22.1 ada 4.3.7	If the slope is greater, is that section of the walk treated as a ramp? (handrails, level places, slope max. 1:12)		<u>NA</u> <u>—</u>	<u>NA</u> <u>—</u>
aab 20.3 ada 4.5.1	Is the surface hard packed or paved? Is surface stable, firm and slip resistant?		<u>✓</u> <u>—</u>	<u>✓</u> <u>—</u>
aab 26.5 ada 4.5.4	If grates are located in path of travel are openings less than 1/2 inch wide?	grates 3/4"	<u>—</u> <u>✓</u>	<u>—</u> <u>✓</u>
ada 4.3.4	If passing space is less than 5 ft. wide, are there 5 X 5 ft. passing spaces at reasonable intervals (no more than 200 ft. between spaces)?	only 48" wide		<u>—</u> <u>✓</u>

QUESTIONS POSSIBLE SOLUTIONS

Priority 1: Accessible Entrance

People with disabilities should be able to arrive on the site, approach the building, and enter the building as freely as everyone else. At least one path of travel should be safe and accessible for everyone, including people with disabilities.

Path of Travel (ADAAG 4.3, 4.4, 4.5, 4.7)

Is there a path of travel that does not require the use of stairs?

Yes No

☒ ☐

Is the path of travel stable, firm and slip-resistant?

☒ ☐

Is the path at least 36 inches wide?

☒ ☐

Can all objects protruding into the path be detected by a person with a visual disability using a cane?

☒ ☐

In order to be detected using a cane, an object must be within 27 inches of the ground. Objects hanging or mounted overhead must be higher than 80 inches to provide clear head room. It is not necessary to remove objects that protrude less than 4 inches from the wall.

Do curbs on the pathway have curb cuts at drives, parking, and drop-offs?

☐ ☐

N/A

- ☐ Add a ramp if the path of travel is interrupted by stairs.
- ☐ Add an alternative pathway on level ground.
- ☐ Repair uneven paving.
- ☐ Fill small bumps and breaks with beveled patches.
- ☐ Replace gravel with hard top.
- ☐ Change or move landscaping, furnishings, or other features that narrow the path of travel.
- ☐ Widen pathway.
- ☐ Move or remove protruding objects.
- ☐ Add a cane-detectable base that extends to the ground.
- ☐ Place a cane-detectable object on the ground underneath as a warning barrier.

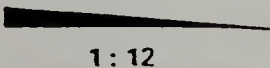
- ☐ Install curb cut.
- ☐ Add small ramp up to curb.

Ramps (ADAAG 4.8)

Are the slopes of ramps no greater than 1:12?

☐ ☒

Slope is given as a ratio of the height to the length. 1:12 means for every 12 inches along the base of the ramp, the height increases one inch. For a 1:12 maximum slope, at least one foot of ramp length is needed for each inch of height.



- ☒ Lengthen ramp to decrease slope.
- ☐ Relocate ramp.
- ☐ If available space is limited, reconfigure ramp to include switchbacks.

Advocating for Access

Once you have completed your assessment, be prepared to follow up by encouraging and working with the organization's owner or facility manager to make any needed improvements, conducting further surveys, testifying at a hearing, or taking other necessary action. The goal is *voluntary compliance* with the law. This section suggests advocacy methods to help you reach this goal. It also explains the complaint processes available, should you choose to file a formal complaint.

OVERVIEW OF STEPS

- STEP 9 • List access issues.
- STEP 10 • Follow up with the owner or manager.
- STEP 11 • Continue to work for improved accessibility.
- STEP 12 • Write a letter of acknowledgment.
- STEP 13 • Write a letter of appreciation.
- STEP 14 • File a complaint if necessary.

STEP 9: List access issues.

Organize your notes from the site visit and make a list of the access issues that have become apparent. Prepare to present your evaluation to the owner or manager.

STEP 10: Follow up with the owner or manager.

Within one week, write a follow-up letter to the owner or manager, giving your assessment of the organization's level of accessibility and a summary of access issues (and any actual violations, if any), and suggesting a time frame for the person to respond. Adapt the model letter on the following page. Be sure to discuss communication barriers in addition to architectural ones.

If you have access to a copy machine, include copies of pertinent sections of applicable regulations and information on available tax incentives (included in the Appendix of this workbook). Be sure to send copies of the letter to the Office on Disability, the local building inspector (if organization is under the jurisdiction of the AAB), and the local Commission on Disability.

**PUBLIC ACCOMMODATION FOLLOW-UP LETTER MODEL
(ADA Title III or ADA/AAB)**

(Name of owner or manager)
(Organization)
(Address)

(Date)

Dear (Name of owner or manager):

As you know from (our phone call/my letter) of (date), I am a Community Access Monitor designated by the Massachusetts Office on Disability.

On (date), I visited your (store, restaurant, business, etc.) to evaluate accessibility for people with disabilities. Thank you for your cooperation during the visit. *(If appropriate:)* I was impressed that so much of your (store, restaurant, building, etc.) is accessible.

As you are aware, the Americans with Disabilities Act requires existing public accommodations like yours to eliminate barriers whose removal is "readily achievable." Following is a list of barriers that I identified. I hope you will consider which of these can be easily removed. (Please note that all modifications made to comply with the readily achievable requirement must also comply with the Massachusetts access regulations.) I am enclosing a list of the factors to be considered in determining what is readily achievable.

- 1) Door hardware is round and difficult to open. Lever or loop handles should be used.
- 2) The soap dispenser in the accessible rest room is too high. It should be no higher than 54 inches if a side approach is possible, or 48 inches if only a forward approach is possible.

(continued)

If organization is required to make readily achievable improvements under the ADA

Examples

PUBLIC ACCOMMODATION LETTER (continued)

If ADA "auxiliary
aids" requirement
applies



The following are steps I believe you should consider taking in order to improve your communication accessibility, in order to meet the "auxiliary aids and services" requirement of the ADA:

Examples



- 1) Provide a TDD (Telecommunication Device for the Deaf) at the hotel front desk.
- 2) Provide large print and audio tape or braille formats of menus, or have someone available to read them out loud upon request.

If subject to
compliance with
ADAAG and/or AAB



In my opinion, the following are in conflict with the Massachusetts Architectural Access Board Rules and Regulations and/or the ADA Accessibility Guidelines:

Examples



- 1) Clear opening of front door is 28 inches. It should be 34 inches. (AAB section 27.2)
- 2) There is only one accessible parking space. Since the lot has 30 spaces, there should be at least two accessible spaces. (AAB section 23.4)
- 3) The large conference room should have a permanently installed assistive listening system. (ADAAG section 4.1.3(19)(b))

Please call me for more detailed information and to let me know whether I can help you further. I look forward to hearing from you in the next two weeks. I can be reached at (phone number) or by leaving a message at the Massachusetts Office on Disability, (617) 727-7440 or (800) 322-2020.

Sincerely,
(Signature)

(Your name)
Community Access Monitor

cc: Massachusetts Office on Disability
(Name of local building inspector if under AAB jurisdiction)
(Municipal Commission on Disability)

Enc. List of readily achievable considerations
Pertinent sections of applicable regulations
Tax incentive information

FACTORS FOR DETERMINING WHAT IS READILY ACHIEVABLE AND WHAT IS AN UNDUE BURDEN

Readily achievable: easily accomplishable and able to be carried out without much difficulty or expense

Undue burden: significant difficulty or expense

Factors to be considered include:

- 1) Nature and cost of the modifications needed.
- 2) Impact upon the operation of the site:
 - overall financial resources of the site or sites involved
 - number of persons employed at the site
 - effect on expenses and resources
 - legitimate safety requirements that are necessary for safe operation, including crime prevention measures
- 3) Geographic separateness and administrative or fiscal relationship of the site or sites to any parent corporation or entity.
- 4) Resources of parent corporation or entity:
 - overall financial resources of any parent corporation or entity
 - overall size of the parent corporation or entity with respect to the number of employees
 - number, type, and location of its facilities
- 5) Type of operation or operations of any parent corporation or entity, including the composition, structure, and functions of its work force.

STATE/LOCAL GOVERNMENT FOLLOW-UP LETTER MODEL (ADA Title II)

(Name of owner or manager)

(Organization)

(Address)

(Date)

Dear (Name of owner or manager):

As you know from (our phone call/my letter) of (date), I am a Community Access Monitor designated by the Massachusetts Office on Disability.

On (date), I visited your (agency, department, office, etc.) to evaluate accessibility for people with disabilities. Thank you for your cooperation during the visit. *(If appropriate:)* I was impressed that so much of your (agency, department, office, etc.) is accessible. It is my opinion that the following are access issues you need to consider:

- 1) Printed brochures are inaccessible to people with visual disabilities. They should be available in large print, audio tape, and braille.
- 2) Emergency phone line does not provide direct access for people who have hearing or speech disabilities. A TDD (Telecommunication Device for the Deaf) needs to be installed.
- 3) Public meetings need to be moved from the second floor to the first floor.
- 4) Notices need to be posted and disseminated informing people of their rights under the ADA.

Under Title II of the Americans with Disabilities Act, state and local governments are responsible for conducting a self-evaluation of services, programs, and activities by January 26, 1993. If structural changes to facilities are needed to provide programmatic access, they must be done as soon as possible but no later than January 26, 1995. All non-structural changes should be made right away (the effective date was January 26, 1992).

(continued)

Examples



If subject to
compliance with
ADAAG and/or AAB

Examples

STATE/LOCAL GOVERNMENT LETTER (continued)

In my opinion, the following are in conflict with the Massachusetts Architectural Access Board Rules and Regulations and/or the ADA Accessibility Guidelines:

- 1) Clear opening of the front door is 28 inches wide. It should be 34 inches. (AAB section 27.2)
- 2) There is only one accessible parking space. Since the lot has 30 spaces, there should be at least two accessible spaces. (AAB section 23.4)
- 3) The large conference room should have a permanently installed assistive listening system. (ADAAG section 4.1.3(19)(b))

Please call me for more detailed information and to let me know whether I can help you further. I look forward to hearing from you in the next two weeks. I can be reached at (phone number) or by leaving a message at the Massachusetts Office on Disability, (617) 727-7440 or (800) 322-2020.

Sincerely,
(Signature)

(Your name)
Community Access Monitor

cc: Massachusetts Office on Disability
(Municipal Commission on Disability)

Enc. Pertinent sections of applicable regulations

STEP 11: Continue to work for improved accessibility.

Get in touch with people who can support and advise you in your advocacy efforts. Work with the local disability commission and/or Independent Living Center. They may have ideas that can help you persuade the organization you are working with to increase its level of accessibility, and they may be able to assist by contacting the organization and advocating for compliance. The Disability Law Center is also a good resource for advice and assistance.

If the organization is subject to the ADA's "readily achievable" and communication requirements, work with the owner or manager to develop an Implementation Plan for making readily achievable improvements. An Implementation Plan is recommended, but not required, by the ADA. Explain to the owner or manager that preparing and carrying out such a plan will help demonstrate that the organization is making a good faith effort to comply with the requirements of the law. The plan should detail which readily achievable access improvements have been decided upon and when each modification will be carried out. Which improvements are deemed readily achievable will depend on several factors (see page 54). Encourage them to document what is not readily achievable and what alternative methods will be used to provide access. Only the owner of the public accommodation can make these decisions.

If it is a state or municipal organization, offer to work with them to review the Self-Evaluation and Transition Plan. Information on these plans is provided in the Appendix, or refer the organization to the New England Disability and Business Technical Assistance Center or to the U.S. Department of Justice's Technical Assistance Manual for Title II of the ADA for information on how to proceed.

If the organization requests information on products or equipment, such as signage, assistive listening systems, portable ramps, or braille elevator panels, refer them to the Information Center for Individuals with Disabilities (see Resources).

NOTE:

All modifications made to comply with the readily achievable requirement must also comply with the Massachusetts technical requirements.

Consider sending a press release to your local newspaper describing your advocacy work. Your local press may be very interested in what you're doing. Let them know that you are involved with the Community Access Monitor Project, which organizations you are working with, and what your findings have been. Keep your tone objective. Focus on the positive, cooperative responses you have been receiving from the organizations you have worked with. This type of publicity may help to encourage the organization you are working with to improve its accessibility, and may inspire other organizations to learn about access laws and take steps to comply.

Below is an example to give you an idea of how a press release is written. Note that it follows the basic journalistic form, beginning with general information and progressing to specifics, and answering the questions who-what-where-when-how-why. If you choose, you may use the second and third paragraphs of the sample below in your press release, adding your own quotes and details of your work to reflect your particular experiences.

NOTE:

Quotes, names, and places are examples only

SAMPLE PRESS RELEASE**Disability Advocates Monitor Access in Community**

"I got involved in this program because, as someone who has a disability and has frequently run into barriers, I felt it was my responsibility to take an active role in working for an accessible environment for all people," says Jane Doe, a Community Access Monitor in the town of Barrierville.

Doe is one of over a thousand Massachusetts citizens who have been trained by the Massachusetts Office on Disability to advocate for increased accessibility to private and publicly-owned places. Monitors in hundreds of communities throughout the state are working with businesses, nonprofit agencies, government agencies, and other organizations to assess their level of accessibility and help them prioritize cost-effective improvements.

The Community Access Monitor Project has a new emphasis on

(continued)

SAMPLE PRESS RELEASE (continued)

improving access to existing facilities since many important provisions of the Americans with Disabilities Act went into effect on January 26, 1992. The ADA requires most facilities that serve the public to make access modifications that are "readily achievable," or accomplishable without much difficulty or expense, and to assure effective communication by providing auxiliary aids and services, such as sign language interpreters or written material in large print. Monitors also continue to check for compliance with the Massachusetts access regulations, as they have in the past.

Doe has found the reactions of business owners and municipal officials to be positive.

"People are generally receptive and interested. They welcome the opportunity to make their services available to forty-three million potential new customers, and they feel good about being part of the nationwide movement toward creating a more accessible society."

STEP 12: Write a letter of acknowledgment.

When the organization's owner or manager agrees to make your recommended access improvements, send a letter of acknowledgment. Commend the owner or manager's efforts, and emphasize the positive impact his or her action will have as a part of the nationwide movement to remove barriers to people with disabilities. Send a copy of the letter and the organization's plan of compliance to the Massachusetts Office on Disability, the local building inspector (if AAB compliance is required), and the local Commission on Disability. If you wish, adapt the model letter on the next page.

ACKNOWLEDGMENT LETTER MODEL

(Name of owner or manager)
(Organization)
(Address)

(Date)

Dear (Name of owner or manager):

I am writing to thank you for your prompt response to my recommendations for improving accessibility at your (store, restaurant, business, etc.). It is encouraging to see progress being made in the nationwide effort to remove architectural, communication, and programmatic barriers to people with disabilities.

Your plan to increase access to your (store, restaurant, building, etc.) is a positive step toward the goal of creating an accessible environment for all people.

I would like to stay in touch to assist you during the process of implementing your planned improvements. Please feel free to contact me at (phone number) at any time.

Sincerely,
(Signature)

(Your name)
Community Access Monitor

cc: Massachusetts Office on Disability
(Name of local building inspector if under AAB jurisdiction)
(Municipal Commission on Disability)

STEP 13: Write a letter of appreciation.

Maintain contact with the organization throughout the process of planning and carrying out access improvements.

When access changes have been made, send a final letter of appreciation. You may use or adapt the model below, if appropriate.

APPRECIATION LETTER MODEL

(Name of owner or manager)

(Organization)

(Address)

(Date)

Dear (Name of owner or manager):

Thank you very much for your cooperation throughout the process of evaluating and improving accessibility at your (store, restaurant, business, etc.). Now that your (store, restaurant, business, etc.) is accessible, all people will be able to benefit from the (products, services, etc.) you offer, and you will benefit from a greater pool of potential (customers, clients, etc.).

I hope you will continue to improve and maintain accessibility. If you need further guidance, please feel free to contact me at (phone number) or the Massachusetts Office on Disability at (617) 727-7440 or (800) 322-2020.

Again, I commend your efforts and hope the improvements you have made and your continued attention to access issues will set an example for others to follow.

Sincerely,
(Signature)

(Your name)
Community Access Monitor

cc: Massachusetts Office on Disability
(Name of local building inspector if under AAB jurisdiction)
(Municipal Commission on Disability)

STEP 14: File a complaint if necessary.

If, despite your efforts, the organization you are working with refuses to take steps to improve its accessibility, and you believe it is in violation of the law, the next step may be to file a complaint. Although it is better to get voluntary compliance, you should be familiar with the complaint process should filing a complaint become necessary.

If your complaint addresses violations of the Regulations of the Architectural Access Board, submit your complaint to the Architectural Access Board. Send a copy of your complaint to the Massachusetts Office on Disability, the local Building Department, and the local Commission on Disability. (A sample AAB complaint form appears on page 66.) The AAB will send a letter to the owner or manager of the organization listing the alleged violations. Depending on the owner's response, a hearing may be held. (If a hearing is held, you should testify.) If the complaint is decided in your favor, the AAB will issue an order to the organization to make the necessary improvements. If the organization does not comply with the order, they will be subject to fines of up to \$1000 per day, per violation.

If your complaint addresses violations of Title II of the ADA (state and local governments), you can do any or all of the following:

- Complain through the public entity's grievance procedure, and negotiate with them for voluntary compliance. (Under Title II, public entities are required to establish grievance procedures for handling complaints.)
- File a complaint with the federal agency you believe to be appropriate, within 180 days of the alleged discrimination. Refer to the list on page 64 to determine which federal agency may be appropriate for your situation. To file a complaint, write a letter describing the discrimination that you believe occurred. (There is no complaint form for ADA complaints.) The agency will try to negotiate for voluntary compliance and may withhold federal funds from the organization, or it may refer the case to the Department of Justice for possible legal action. This could result in a court injunction to the organization to provide access, to pay damages, attorney fees and related litigation expenses, and/or to provide any other relief ordered by the court.
- File a complaint with the Department of Justice, which will refer your complaint to the appropriate agency.
- File a private suit against the public entity.

- Alternative means of dispute resolution, such as settlement negotiations, conciliation, mediation, and arbitration, are encouraged.

If your complaint addresses violations of Title III of the ADA (public accommodations and commercial facilities), you can file a private suit, and/or you can file a complaint with the U.S. Department of Justice, who will investigate and may commence a civil action in the appropriate U.S. district court if the case involves a "pattern or practice of discrimination" or raises an "issue of general public importance." In cases where your negotiations are not successful and you believe a lawsuit may be appropriate, **first contact the Massachusetts Office on Disability for assistance.** You may also want to contact the Disability Law Center; they may take on some cases that have broad impact.

The Better Business Bureau is developing materials to help with dispute resolution under Title III of the ADA. For more information, contact the BBB (see Resources) or the Massachusetts Office on Disability.

If a hearing is held, be prepared to testify. Bring all written documentation, photographs (if you have them), copies of all correspondence, and your Community Access Monitor certificate to the hearing.

**DESIGNATED FEDERAL AGENCIES FOR TITLE II COMPLIANCE
(State and Local Government Services)****Department of Agriculture**

All programs, services, and regulatory activities relating to farming and the raising of livestock, including extension services. (Send complaints to: Complaints Adjudication Division, Office of Advocacy and Enterprise, Room 1353, South Building, Department of Agriculture, 14th & Independence Avenue SW, Washington, D.C. 20250)

Department of Education

All programs, services, and regulatory activities relating to the operation of elementary and secondary education systems and institutions, institutions of higher education and vocational education (other than schools of medicine, dentistry, nursing, and other health-related schools), and libraries. (Send complaints to: Office for Civil Rights, Department of Education, 330 C Street SW, Suite 5000, Washington, D.C. 20202)

Department of Health and Human Services

All programs, services, and regulatory activities relating to the provision of health care and social services, including schools of medicine, dentistry, nursing, and other health-related schools, the operation of health care and social service providers and institutions, including "grass-roots" and community services organizations and programs, and preschool and day care programs. (Send complaints to: Office for Civil Rights, Department of Health and Human Services, 330 Independence Avenue SW, Washington, D.C. 20201)

Department of Housing and Urban Development

All programs, services, and regulatory activities relating to state and local public housing, and housing assistance and referral. (Send complaints to: Assistant Secretary for Fair Housing and Equal Opportunity, Department of Housing and Urban Development, 451 Seventh Street SW, Room 5100, Washington, D.C. 20410)

(continued)

FEDERAL AGENCIES (continued)**Department of the Interior**

All programs, services, and regulatory activities relating to lands and natural resources, including parks and recreation, water and waste management, environmental protection, energy, historic and cultural preservation, and museums. (Send complaints to: Office for Equal Opportunity, Office of the Secretary, Department of the Interior, 18th & C Streets NW, Washington, D.C. 20547)

Department of Justice

All programs, services, and regulatory activities relating to law enforcement, public safety, and the administration of justice, including courts and correctional institutions; commerce and industry, including general economic development, banking and finance, consumer protection, insurance, and small business; planning, development, and regulation (unless assigned to other designated agencies); state and local government support services (e.g., audit, personnel, comptroller, administrative services); all other government functions not assigned to other designated agencies. (Send complaints to: Coordination and Review Section, P.O. Box 66118, Civil Rights Division, U.S. Department of Justice, Washington, D.C. 20035-6118)

Department of Labor

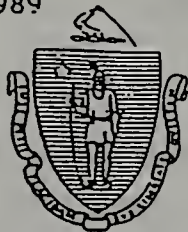
All programs, services, and regulatory activities relating to labor and the work force. (Send complaints to: Directorate of Civil Rights, Department of Labor, 200 Constitution Avenue NW, Room N-4123, Washington, D.C. 20210)

Department of Transportation

All programs, services, and regulatory activities relating to transportation, including highways, public transportation, traffic management (non-law enforcement), automobile licensing and inspection, and driver licensing. (Send complaints to: Office for Civil Rights, Office of the Secretary, Department of Transportation, 400 Seventh Street SW, Room 10215, Washington, D.C. 20590)

-BCF989

DOCKET NO.: 15



William F. Weld,

Governor
Deborah A. Ryan
Executive Director

The Commonwealth of Massachusetts

Executive Office of Public Safety
Architectural Access Board

One Ashburton Place - Room 1310

Boston, Massachusetts 02108

BUILDING COMPLAINT FORM

(617) 727-0660
Voice and TDD

PLEASE BE ADVISED THAT THIS FORM IS A MATTER OF PUBLIC RECORD
AND WILL BE DISCLOSED UPON REQUEST.

1. What is the name and EXACT address of the building believed to be in violation of the Regulations of this Board:

Name: Owens BuildingAddress: 354 MAIN STCity or Town: EASTBOROUGH MA 00030

2. What is the use of the building? (restaurant, office, theater, medical, etc.): retail stores + offices How many floors: 4

Does it appear that the building was recently constructed or renovated? yes

3. Please describe as specifically as possible, each part of the building or site which you believe is inaccessible. If known, please state the section of the Board's regulations that you believe is being violated (e.g. Section 26.1 - Primary entrance on Main Street is not accessible due to 4 steps): USE ADDITIONAL SHEETS IF NECESSARY

Sect. 26.1 Primary Public Entrances

No entrances are accessible. Main St entrance has 5 steps, East St. entrance has 3 steps

Sect 30.1 Toilet Rooms

Doorways are 28 inches wide, round hardware

Sect 37.1 Public Telephones

Highest operating part is 69 inches

4. What date were you most recently at the building or site: Aug 1, 2000

SUMMARY OF STEPS

Step 1: Get connected and get organized.

- Get in touch with your local Commission on Disability and Independent Living Center.
- Contact the local Chamber of Commerce and/or Downtown Professional Association to find out what they are doing, and offer your cooperation on an existing or new task force on ADA compliance or in co-sponsoring an ADA forum.
- If no one has done so yet, make a list of all of the organizations, businesses, agencies, and state and municipal government departments in your community.

Step 2: Choose an organization to work with.

- Decide on an organization you would like to work with on access.
- Check with the local Commission on Disability and/or Independent Living Center whether the organization you are interested in working with has already been or is currently being assessed for accessibility.

Step 3: Obtain information.

- Make a photocopy of the Information Worksheet, or call the Massachusetts Office on Disability for copies.
- Obtain the information you need for the first section of the Information Worksheet.

Step 4: Determine which access regulations apply.

- Use the decision trees to determine which access laws apply to the organization you are interested in working with.
- Complete Parts B and D of the Information Worksheet.

Step 5: Find out if any exemptions apply.

- If the facility is historic, check off "Historic building" in Part C of the Information Worksheet.
- If the elevator exemption applies, check off "Elevator exemption applies" in Part C of the Information Worksheet.
- If the facility is under the jurisdiction of the Architectural Access Board, contact the AAB or the local building inspector to find out if it has been granted any variances. List variances in Part C of the Information Worksheet.

Step 6: Contact owner or manager.

- Contact the owner or manager of the organization to inform him or her of your interest in working to improve accessibility.
- Follow up your initial letter with a phone call several days later to plan a meeting place and time.

Step 7: Prepare for the site visit.

- Obtain copies of the appropriate regulations and survey forms.
- Know how to take all required measurements.
- Enlist help if possible.
- Make sure you have everything you need when you go to the site.

Step 8: Visit the organization to assess its accessibility.

- Using the appropriate survey forms, assess the architectural, communication, and programmatic accessibility of the organization.

Step 9: List access issues.

- Organize your notes from the site visit and make a list of the access issues that have become apparent.

Step 10: Follow up with the owner or manager.

- Within one week, write a follow-up letter to the owner or facility manager, giving your assessment of the organization's level of accessibility and a summary of access issues (and any actual code violations, if any), and suggesting a time frame for the person to respond.

Step 11: Continue to work for improved accessibility.

- Get in touch with people who can support and advise you in your advocacy efforts.
- If the organization is subject to the ADA's "readily achievable" and communication requirements, work with the owner or manager to develop an Implementation Plan for making readily achievable improvements.
- If it is a state or municipal organization, offer to work with them to review the Self-Evaluation and Transition Plan.
- Consider sending a press release to your local newspaper describing your advocacy work.

Step 12: Write a letter of acknowledgment.

- When the organization's owner or manager agrees to make your recommended access improvements, send a letter of acknowledgment.

Step 13: Write a letter of appreciation.

- Maintain contact with the organization throughout the process of planning and carrying out access improvements.
- When access changes have been made, send a final letter of appreciation.

Step 14: File a complaint if necessary.

- If, despite your efforts, the organization you are working with refuses to take steps to improve its accessibility, and you believe it is in violation of the law, the next step may be to file a complaint.
- If a hearing is held, be prepared to testify.

Community Access Monitors

Independent Living Centers

MASSACHUSETTS INDEPENDENT LIVING CENTERS

Berkshire County

AD-LIB

Director - Bill Cavanaugh

442 North Street

Pittsfield, MA. 01201

(413) 442-7047 V/TDD

(413) 442-7158 TDD

(800) 232-7047 V/TDD

85 Main Street

North Adams, MA. 01201

(413) 662-2650 V/TDD

Hamp., Hampden, Frank.

STAVROS, INC.

Director - Jim Kruidenier

691 South East Street

Amherst, MA. 01002

(413) 256-0473 V/TDD

(800) 442-1185 V/TDD

145 State Street

Springfield, MA. 01103

(413) 781-5555 V/TDD

55 Federal Street

Greenfield, MA. 01301

(413) 774-3001 VOICE

(413) 772-2556 TDD

Worcester County

CENTER FOR LIVING

AND WORKING

Director - Bob Bailey

484 Main Street, Suite 345

Worcester, MA. 01608

(508) 798-0350 V/TDD

76 Summer Street

Fitchburg, MA. 01420

(508) 345-6331 VOICE

(508) 345-1568 TDD

3 Fayette Street

Milford, MA. 01757

(508) 473-2271 V/TDD

51 Everett Street

Southbridge, MA. 01550

(508) 764-8002 V/TDD

Northeast Region

NORTHEAST INDEPENDENT

LIVING PROGRAM

Director - Charlie Carr

130 Parker Street

Lawrence, MA. 01843

(508) 687-4288 V/TDD

69 Main Street

Amesbury, MA. 01913

(508) 388-0677 V/TDD

585 Merrimack St.

Lowell, MA. 01854

(508) 454-9998 V/TDD

North Shore/Cape Ann

INDEPENDENT LIVING CENTER

OF THE NORTH SHORE

Director - Lori Stewart

583 Chestnut Street, Suite 9

Lynn, MA. 01904

(617) 593-7500 V/TDD

Boston/Metro Boston Area

BOSTON CENTER FOR

INDEPENDENT LIVING

Director - Bonnie O'Day

95 Berkeley St., Suite 206

Boston, MA. 02116

(617) 338-6665 VOICE

(617) 338-6662 TDD

82 Lincoln St.

Newton, MA. 02161

(617) 965-4450

Metro - West Area

GREATER FRAMINGHAM ASSOCIATION OF

INDIVIDUALS WITH DISABILITIES

INDEPENDENT LIVING CENTER

Director - Paul Spooner

869 Concord St.

Framingham, MA. 01701

(508) 875-7853 V/TDD

Fall River/New Bedford Area

SOUTHEAST CENTER FOR

INDEPENDENT LIVING

Director - Cheryl Finnerty

170 Pleasant Street

Fall River, MA. 02721

(508) 679-9210 V/TDD

(508) 677-2377 TDD

(OVER)

South Shore/Southeast
INDEPENDENCE ASSOCIATES
Director - Eric Griffin
55 City Hall Plaza
Brockton, MA. 02401
(508) 559-9091 V/TDD
(800) 634-7080 V/TDD

9 Taunton Green
Taunton, MA. 02780
(508) 880-5325 V/TDD
(800) 649-5568 V/TDD

Cape Cod and Islands
CAPE ORGANIZATION FOR RIGHTS
OF THE DISABLED
Director - Bill Henning
583 Main St., P.O Box 964
Hyannis, MA. 02601
(508) 775-8300 V/TDD
(800) 541-541-0282 V/TDD

Deaf Individuals
D.E.A.F., INC.
Director - Heidi Reed
215 Brighton Ave.
Allston, MA. 02134
(617) 254-4041 V/TDD

Persons with Mental Illness
RENAISSANCE CLUB
Director - Larry Urban
21 Branch Street
Lowell, MA. 01851
(508) 454-7944

Massachusetts Office on Disability
March 1992

Local Commissions

Massachusetts Office on Disability

One Ashburton Place Room 1305 Boston, MA 02108

(617) 727-7440

(800) 322-2020



(617) 727-0965 FAX



William F. Weld, Governor

Massachusetts Commissions/Committees on Disability

ACTON	Commission on Disability Walter Kiver, Chair Town Hall/Main St. Acton, MA 01720	508-263-0843 (home number)
AMHERST	Disability Access Advisory Committee Epi Bodhi, Access Coordinator 70 Boltwood Walk Amherst, MA 01002	413-253-9352
ATTLEBORO	Commission on Handicapped Affairs Leo Viens, Chair 1 Booth St. South Attleboro, MA 02703	508-399-8976
AUBURN	Office of Handicapped Affairs Henry Gancarz, Chair 133 Hampton St. Auburn, MA 01501	508-756-8700
BARNSTABLE	Access Board Mary Anne Grafton-Rogers Town Hall 367 Main St. Hyannis, MA 02601	508-428-7449
BEDFORD	Handicap Access Committee Peter Naum, Chair Town Hall 10 Mudge Way Bedford, MA 01730	617-275-0083
BEVERLY	Commission for the Physically Handicapped John Borsetti, Chair P.O. Box 473 Beverly, MA 01915	508-922-0342

August, 1992

BILLERICA	Commission on Handicapped Affairs Maria Salvato, Chair 5 Kazimer Dr. Billerica, MA 01821	508-663-7302
BOSTON	Mayor's Commission for Persons with Disabilities Jim Brooks, Director Boston City Hall, Room 708 Boston, MA 02201	617-725-3682
BOURNE	Handicapped Advisory Commission Frank Collagee Town Hall 24 Perry Ave. Buzzards Bay, MA 02532	508-991-6990 (Work) 508-759-4417 (Town Hall)
BOYLSTON	Committee on Disabilities Irene Symonds, Chair & ADA Coord. 429 School Street Boylston, MA 01505	508-869-2826
BRAINTREE	Commission on Handicapped Affairs Caroline Raimondi, Chair 1071 Southern Artery, Apt. 211 Quincy, MA 02169	617-472-4084
BREWSTER	Handicapped Accessibility Committee Jean Sears Box 683 Brewster, MA 02631	508-896-2737
BROCKTON	Mayor's Committee on Handicapped Affairs Bob Martin, Chair Brockton City Hall 45 School St. Brockton, MA 02402	508-580-7191
BROOKLINE	Commission for the Disabled Joan Crowley, Chair 11 Pierce St. Brookline, MA 02146	617-730-2304
BURLINGTON	Disability Access Committee Donald Rumrill, Co-Chair Judy Spano-Davis, Co-Chair Town Hall/29 Center St. Burlington, MA 01803	617-272-6700 (Town Hall)

Disability Access Committee
Frances King, Secretary
7 Maple St.
Burlington, MA 01803
617-229-8075

CAMBRIDGE
Commission on Persons with
Disabilities
Gail Enman, Director
57 Inman St.
Cambridge, MA 02139
617-349-9000
Ext. 9509

CARVER
Commission for the Handicapped
P.J. Murphy, Chairperson
22-7 Southmeadow Village
Carver, MA 02330
508-866-5383

CHATHAM
Disability Access Committee
Charleen L. Greenhalgh, Co-Chair
Primrose Craven, Co-Chair
Dept. of Planning and Development
261 George Ryder Rd.
Chatham, MA 02633
508-945-5668

CHELMSFORD
Commission on Disabilities
Ralph Hickey, Chair
31 Littleton Rd.
Chelmsford, MA 01824
508-256-2648

CHICOPEE
Handicapped Commission
Laurent Cote, Chair
212 Narragansett Blvd.
Chicopee, MA 01013
413-536-7271

CLINTON
Office of Handicapped Affairs
Stewart Grossman, Acting Chair
242 Church St.
Clinton, MA 01510
508-365-4812
(Town Hall)

COHASSET
Handicapped Commission
Michelle Buckley, Chair
247 Forest Ave.
Cohasset, MA 02025
617-383-0304

DANVERS
Commission for the Handicapped
Gil Adrien, Chair
11 Hampshire St.
Danvers, MA 01923
508-774-1918

DENNIS
Disability Committee
Alice Houst, Chair
56 Berry St.
West Dennis, MA 02670
508-394-3221

	Disability Coordinator Cliff Wood Box 1006 South Dennis, MA 02660	508-385-5067
DIGHTON	Handicapped Committee Armand Gagne, Chair 979 Somerset Ave. Dighton, MA 02715	508-669-6431
EASTHAM	Committee for the Handicapped Ray Mayer, Chair R.R.1, 50 Piper Lane Eastham, MA 02642	508-255-2540
EASTHAMPTON	Handicapped Awareness Committee Cyndy Reutt, Secretary 5 Arthur St. Easthampton, MA 01027	413-527-3829
EASTON	Handicap Access Advisory Committee Patrick McLaughlin, Chair 51 Center St. North Easton, MA 02356	508-238-1356
ERVING	Handicap Access Committee Debbie Radway Town Hall Erving, MA 01344	508-544-3636
EVERETT	Commission on Handicapped Services Merilee Van Houten, Chair City Hall 484 Broadway St. Everett, MA 02149	617-389-2100
FALMOUTH	Handicapped Compliance Committee Rebecca Bernstein, Chair Town Hall, Town Hall Square Falmouth, MA 02540	508-548-7611 (Town Hall)
	Evelyn Wright, Secretary 132 Chester St. No. Falmouth, MA 02556	508-564-4250
FOXBORO	Handicapped Access Committee Norm Reynolds, Chair Town Hall 40 South St. Foxboro, MA 02035	508-543-1206

FRAMINGHAM	Disability Subcommittee of Human Relations Commission Dennis Poselli, Chair Framingham State College 506 College Center, Framingham, MA 01701	508-626-4627
FRANKLIN	Handicapped Affairs Commission Peter T. Burke, Chair 85 Cottage St. Franklin, MA 02038	
GARDNER	Handicapped Commission Marilyn Sadowski, Chair 5 Lovell St. Gardner, MA 01440	508-632-5605
GOSHEN	Accessibility Committee Linda Judd, Chair HC 83, Box 2 Goshen, MA 01032	413-268-3264
GRAFTON	504 Steering Committee Nancy Hasen 30 Providence Rd. Grafton, MA 01519	508-839-5335
GREAT BARRINGTON	Commission for the Handicapped Ed Moorehouse 255 State Rd. Great Barrington, MA 01230	413-528-3826
GROTON	Commission on Handicapped Affairs Margaret McPartlan, Chair P.O. Box 939 49 Pleasant St. Groton, MA 01450	508-448-6730
HALIFAX	ADA Committee John Cole, Chair 70 Hayward Street Halifax, MA 02338	617-293-3321
HAMILTON	Hamilton Office on Disability Ruth Dolan, Chair 280 Linden St. South Hamilton, MA 01982	508-468-2072
HARWICH	Harwich Disability Rights Committee Carol Chicetto, Chair P.O. Box 929 Harwich, MA 02645	508-432-8890

HAVERHILL	Commission for Citizens with Disabilities and Deafness Brian Langlois, Chair Haverhill Citizens Center 10 Welcome St. Haverhill, MA 01830	508-374-2344
HINGHAM	Commission on Disability Issues Nuala McLaughlin, Chair 10 Richard Rd. Hingham, MA 02043	617-749-6755
HOLBROOK	Handicap Access Self-Evaluation Committee Nancy Noone, Chair Town Hall, 50 North Franklin St. Holbrook, MA 02343	617-767-4312
HOLYOKE	Handicap Advisory Board Vincent Falardeau 39 Roland St. Holyoke, MA 01040	413-532-8126
HOPEDALE	Handicapped Commission Mary Challela, Chair 97 Greene St. Hopedale, MA 01747	617-642-0268
HULL	Handicapped Commission Norma Brent, Chair 71 Packard Ave. Hull, MA 02045	617-925-0350
KINGSTON	Handicapped Commission Chris Willis, Chair 22 Atwood St. Kingston, MA 02364	617-585-4219
LAWRENCE	Commission for Disability Marie Doyle City Hall/200 Common St. Lawrence, MA 01840	508-683-5945 (home number)
LENOX	ADA Committee Robert L. Dunne, Chair Selectmen's Office Town Hall, 6 Walker St. Lenox, MA 01240	413-637-1094
LEXINGTON	Enablement Subcommittee Steve Baran, Human Services Office 1625 Mass. Ave. Lexington, MA 02173	617-861-2742

LOWELL	Commission on Handicapped Affairs Edward "Bud" Caulfield, Chair Diane McCloud, Coordinator Lowell City Hall Lowell, MA 01852	508-970-4161
LUDLOW	Self-Evaluation Team Chris Chnura Town Hall Ludlow, MA 01056	413-589-7511
MALDEN	Disabilities Issues Commission Stan Kaszanek, Chair 100 Washington St. Malden, MA 02148	617-321-8856
MARBLEHEAD	Selectmen's Advisory Committee on the Needs of the Handicapped Alan Langer, Chair 7 Cliffside Rd. Marblehead, MA 01945	617-631-9013
MARLBORO	Commission on Disabilities Carol Henderson, Chair 624 Boston Post Rd. Marlboro, MA 01752	508-485-2090 (W) 508-481-2443 (H)
	Mary Dalpe Director of Human Services 255 Main St. Marlboro, MA 01752	508-460-3758
MASHPEE	Handicapped Commission Barbara Sellars, Chair Valerie Circle Mashpee, MA 02649	508-477-3355
MEDFORD	504 Self Evaluation Committee William T. McCormack, Co-Chair Steve Honecutt, Co-Chair City Hall, Room 205 Medford, MA 02155	617-396-5500 Ext. 467
METHUEN	Handicapped Commission Sidney Harris, Chair 42 Union St. Methuen, MA 01844	508-685-7964
	Luther McIlwain, Staff 24 Gill Ave. Methuen, MA 01844	508-686-0989

MIDDLEBORO	Commission on Handicapped Affairs Carolyn E. Gravelin, Chair 326 Bedford St. Lakeville, MA 02347	508-947-2103
MILFORD	Commission on Handicapped Affairs Tom Andruskevich 12 Annie J. Circle Milford, MA 01757	508-478-2149
MILLIS	504 Handicapped Committee Jacqueline Anderson, Coordinator 64 Exchange St. Millis, MA 02054	508-376-2634
MILTON	Handicapped Commission Jeffrey Grant, Chair 27 Pleasant St. Milton, MA 02186	617-696-7734
NAHANT	Handicapped Compliance Committee Dr. Robert Kirkman, Chair 279 Nahant Rd. Nahant, MA 01908	617-598-7027
NANTUCKET	Handicap Commission Town Hall Broad Street Nantucket, MA 02554	508-228-7255
NATICK	Commission on Handicapped Affairs Bob Donahue, Chair 1 West Hill Park Natick, MA 01760	508-653-2804 (Evenings)
	Gwen Kermode, Secretary 179 Boden Lane Natick, MA 01760	508-651-7267
NEEDHAM	Commission on Disabilities Adrienne Dey, Chair 35 Laurel Drive Needham, MA 02192	617-449-9204
NEW BEDFORD	Commission for Citizens with Disabilities Andrew Katz, Executive Director 181 Hillman St. Room 106 New Bedford, MA 02740	508-991-6188

NEWTON	Mayor's Committee on the Environment of the Handicapped Jason Rosenberg, Chair 246 Walnut St. Newton, MA 02160	617-964-7000
NORFOLK	504 Committee Marilyn Morris P.O. Box 316 Norfolk, MA 02056	508-528-1408
NORTH ADAMS	Commission on Disability Linda Trala, Chair 1100 Mohawk Trail North Adams, MA 02147	413-663-3627
NORTHAMPTON	Committee on Disabilities Joe Tringali, Chair c/o STAVROS, Inc. 691 South East Street Amherst, MA 01002	413-256-0473
NORTH ANDOVER	Commission on Disability Issues Susan Halloran, Chair 1A Devon Court North Andover, MA 01845	508-682-8448
NORTH ATTLEBORO	Commission on Handicapped Affairs Wendy McCrae, Chair 43 South Washington St. North Attleboro, MA 02760	508-695-0771
NORTON	Commission on Handicapped Affairs Richard Owen, Chair Town Hall 70 East Main St. Norton, MA 02766	508-285-6301
NORWELL	Handicapped Commission Jeannie Elder, Contact Town Hall 345 Main St. Norwell, MA 02061	617-659-2243
NORWOOD	Handicapped Commission Malcolm P. Sterling III, Chair CWO James McDevitt, Secretary 1903 Village Rd. West Norwood, MA 02062	617-762-2302 617-769-6531

ORLEANS	Committee on Disability Orleans Town Offices 19 School Road RR #1 Orleans, MA 02653	
PEABODY	Commission for Disabilities Ken Reed, Co-Chair 38 Walsh Avenue Peabody, MA 01960	508-532-2287
	Phyllis Freedman, Co-Chair 13 Jones Rd. Peabody, MA 01960	508-535-1401
PEMBROKE	Handicapped Commission Frederick Connor, Chair 100 Center Street Pembroke, MA 02359	617-293-3844
PEPPERELL	Pepperell ADA Committee William L. Giguere, Contact P.O. Box 1060 Pepperell, MA 01463	508-638-1760 (W)
PITTSFIELD	Mayor's Advisory Commission for Handicapped Affairs Donna Rivers, ADA Coordinator City Hall/70 Allen St. Pittsfield, MA 01201	413-499-9321
PLYMOUTH	Commission on Handicapped Affairs Joe Callahan, Chair 1749 Courthouse Town Square Plymouth, MA 02360	508-830-4125
PROVINCETOWN	Handicapped Commission Michelle Jarusiewicz Assistant Town Manager Town Hall Provincetown, MA 02657	508-487-3900
QUINCY	Mayor's Commission on Handicapped Affairs Bill Murphy, Chair 4 Macy Street Quincy, MA 02169	617-773-1380 (Town Hall) 617-471-3733 (W)
RANDOLPH	Handicapped Commission Valerie Franke, Chair 465 North Main St. Randolph, MA 02368	617-963-5475

REVERE	Commission on Handicapped Affairs Steven Rich, Director 101 School St. Revere, MA 02151	617-289-9200 Ext. 136
ROCHESTER	Handicapped Committee Heather Bare, Coordinator Town Hall, 560 Rounseville Rd. Rochester, MA 02770	508-763-3871
ROCKPORT	Access Committee Joe Enos, Chair 33 Maplewood Ave. Gloucester, MA 01930	508-281-2000 Ext. 2268 (w)
ROWLEY	Commission on Handicapped Affairs Barbara McGeorge, Chair Warehouse Lane Rowley, MA 01969	508-948-3905
SALEM	Commission on Handicapped Affairs Peter McSwiggin, Chair P.O. Box 2062 Salem, MA 01970	508-744-4431
SAUGUS	Commission on Handicapped Affairs Carl Tedder, Chair 11-R Baker St. Saugus, MA 01906	617-233-0526
SCITUATE	Commission on Handicapped Affairs Bob Tarantino, Chair Town Hall Scituate, MA 02066	617-545-9515
SHARON	Handicapped Commission Ralph Bellis, Chair 25 Lee St. Sharon, MA 02067	617-784-6909 (town hall, leave messages)
SHELBURNE	504 Commission Richard Bishop Town Hall Shelburne, MA 01370	413-625-6340
SHREWSBURY	Commission for the Disabled Charles Latino, Temp. Chair 181 Floral St. Shrewsbury, MA 01545	508-879-4200 [Ex. 423 (W)]

SOMERSET	504 Steering Committee Armand Gauthier, Chair Town Office Building 140 Wood St. Somerset, MA 02726	508-673-0078
SOMERVILLE	Commission for Handicapped Persons John Ciampa, Chair 70 Perkins St. Somerville, MA 02145	617-776-2817
	Ellen Spiegel, 504 Coordinator 167 Holland St. Somerville, MA 02144	617-625-6600 Ext. 2460
SOUTH HADLEY	504 Evaluation Committee George Charlebois, Chair 49 Fairview St. South Hadley, MA 01075	413-532-7631
SOUTH HAMILTON	Community on Disability Ruth Dolan, Co-Chair Jean Austin, Co-Chair 280 Linden St. South Hamilton, MA 01982	508-468-2072
SPRINGFIELD	Mayor's Office of Handicapped Affairs Tom Johnson, Director 1176 Main St. Springfield, MA 01103	413-787-6642
STONEHAM	Selectmen's Commission for the Handicapped John Moran, Chair 120 Collincote St. Stoneham, MA 02180	617-438-2755
STOUGHTON	Handicap Commission Judy Dorney, Chair 19 Bisbee Rd. Stoughton, MA 02072	617-344-5911
SUDBURY	Sudbury Access Advisory Group Bob Williams, Chair Town Hall Concord Rd. Sudbury, MA 01776	617-933-6399 (W)
TAUNTON	Commission on Handicapped Affairs Dorothy Shoemaker, Chair 483 Bay St. Taunton, MA 02780	508-821-1062 (w) 508-822-0079 (h)

TRURO	Handicapped Commission Dr. Francis Guidon P.O. Box 823 North Truro, MA 02654	508-487-0970
TYNGSBOROUGH	Disability Commission Diane Riker, Contact 10 Kendall Rd Tyngsborough, MA 01879	508-649-7441
UPTON	Handicapped Commission Corey Nelson, Chair 134 Main St./Box 108 Upton, MA 01568	508-529-3455
WAKEFIELD	Commission on Disability Issues Attorney Michael Pierce, Chair 16 Elm Sq. Wakefield, MA 01880	617-245-3235
WALPOLE	Handicapped Access Committee Harold Paul, Chair Town Hall School St. Walpole, MA 02081	508-668-3666
WALTHAM	Commission on Handicapped Affairs Jerry LeBlanc, Chair 9 Murray St. Waltham, MA 02154	617-891-4411
WAREHAM	Commission for the Handicapped John Kennedy, Chair 207 Plymouth Ave. Wareham, MA 02538	508-291-0492
WELLESLEY	Handicapped Committee Bobbie Alicen 525 Washington St. Wellesley, MA 02181	617-431-1019 Ext. 202
WELLFLEET	Handicapped Commission Carol Valli, Chair Town Hall RR1 Main St. Wellfleet, MA 02667	508-349-3707 (Town Hall)
WENHAM	Handicapped Coordination Committee Betty J. McMillan, Chair Wenham Town Hall Wenham, MA 01984	508-468-2169

WESTBOROUGH	Disability Committee Bob Deakin, Chair Town Hall 34 West Main Street Westborough, MA 01581	508-366-7100
	Penny Kelley, Secretary P.O. Box 86 Westborough, MA 01581	508-366-8077
WEST BROOKFIELD	Handicapped Access Study Committee Beata Anderson, Chair 52 Central St. West Brookfield, MA 01585	508-867-2211
WESTPORT	504 Steering Committee Sally Adams 816 Main Rd. Westport, MA 02790	508-636-2115
WEST SPRINGFIELD	Handicapped Commission Diane Holcomb, Co-Chair Nancy Carney, Co-Chair Municipal Office Building 26 Central St. West Springfield, MA 01089	413-736-0071
WESTWOOD	Commission on Handicapped Affairs Ann Berry Goodfellow, Chair 943 High St. Westwood, MA 02090	617-326-2007
	Shirley Heywood, Secretary 1007 High St. Westwood, MA 02090	617-326-9130
WEYMOUTH	Handicapped Commission Virginia McCann, Chair 185 Norton St. North Weymouth, MA 02191	617-331-5779
	Handicapped Commission Fran Smith, Coordinator Town of Weymouth 75 Middle St. East Weymouth, MA 02189	617-335-2000 Ext. 312
WHITMAN	Handicapped Committee William Thibeault Town Hall 54 South Ave. Whitman, MA 02382	617-447-2581

WILLIAMSTOWN	Barrier Free Committee Steven Ledoux, Coordinator 31 North St. Williamstown, MA 01267	413-458-3500
WILMINGTON	Committee on Disability Lawrence Curtis, Chair Town Hall Wilmington, MA 01887	508-658-5436
WINTHROP	Commission on Handicapped Affairs James G. Wallace, Chair Winthrop Middle School Pauline St. Winthrop, MA 02152	617-846-5507
WOBURN	Commission for Handicapped and Disabled Citizens James J. Wolfgang, Contact Person 10 Common St. Woburn, MA 01801	617-932-4466
WORCESTER	Manager's Office of Handicapped Affairs Larry Raymond, Director City Hall, Room 108 Worcester, MA 01608	508-799-1339
WRENTHAM	ADA AD-HOC Committee Frank McLaughlin, Chair Joan Weston, Vice chair Town Hall, South St. Wrentham, MA 02093	508-384-5421 508-384-6387
YARMOUTH	Commission on Handicapped Affairs Autumn Daniels, Chair 1 Hawes Run Rd. West Yarmouth, MA 02673	508-790-0304

State Agencies

STATE AGENCIES

Massachusetts Office on Disability

1 Ashburton Place, Room 1305

Boston, MA 02108

(617) 727-7440 Voice/TDD

(800) 322-2020 Voice/TDD

Provides information, technical assistance, and advocacy for people with disabilities. The MOD staff can increase an organization's awareness of access, assist advisory committees, and help in the transition to access.

Massachusetts Architectural Access Board

1 Ashburton Place, Room 1310

Boston, MA 02108

(617) 727-0660 Voice/TDD

(800) 828-7222 Voice/TDD

Enforces regulations designed to make public buildings accessible to people with disabilities. The AAB staff also offers limited assistance in resolving access questions.

Massachusetts Commission Against Discrimination

One Ashburton Place, Room 601

Boston, MA 02108

(617) 727-3990 Voice

(617) 727-3990 x204 TDD

Helps people file discrimination complaints regarding employment, housing, public accommodations, education, mortgages, and credit. Has 24-hour information line in English and Spanish.

Massachusetts Rehabilitation Commission

Fort Point Place, 27-43 Wormwood St.

Boston, MA 02210

(800) 422-7200 Voice

(800) 223-3213 TDD

Services include vocational rehabilitation, independent living programs, employment services, and van and home modifications; offers information, speakers, and publications on employment requirements under the ADA. Call for complete list of programs and services.

Massachusetts Commission for the Deaf and Hard of Hearing

Department for Communication Access, Training, and Technology Services (CATTS)

600 Washington Street, Suite 600

Boston, MA 02111

(617) 727-5106 Voice/TDD

(800) 882-1155 TDD

Provides technical assistance, training, and information on communication accommodations to businesses, agencies, and the general public. Call or write for information about assistive listening systems, interpreting services, and other innovative access technology or services.

Massachusetts Commission for the Blind

88 Kingston Street

Boston, MA 02111

617-727-5550 Voice

(800) 392-6556 TDD

(800) 392-6450 Voice

Provides rehabilitation, information, and referral services to Massachusetts residents who are blind or visually impaired. Telephone tape is available. Call for a copy of *The Mobility Guide Book*.

Massachusetts Developmental Disabilities Council

600 Washington Street, Room 670

Boston, MA 02111

(617) 727-6374 Voice/TDD

Promotes rights and opportunities for people with developmental disabilities to integrate into society. Provides information, referrals, and public education services. Projects for 1992-94 are focusing on: 1) family supports, 2) multicultural outreach, 3) integration, productivity and independence, and 4) public policy.

Massachusetts Department of Mental Health

25 Staniford Street

Boston, MA 02114

(617) 727-5500 Voice

(617) 727-9842 TDD

Responsible for assuring the delivery of mental health services to all citizens of Massachusetts, particularly those with limited income. Services include 24-hour emergency services, inpatient/hospital services, commu-

nity residential services, outpatient counseling and psychotherapy, day treatment, respite care and school consultation.

Massachusetts Department of Mental Retardation

160 North Washington Street

Boston, MA 02114

(617) 727-5608 Voice

Provides services in employment and training, family support, emergencies, transportation. Also provides residential services and technical assistance to people with mental retardation. Works with local housing authorities for community placement.

Governor's Committee on Employment of People with Disabilities

Department of Employment and Training

C. F. Hurley Building

19 Staniford Street, 4th floor, Policy Unit

Boston, MA 02114

(617) 727-1826 Voice

(800) 438-0471 TDD

Referral services; promotes employment through conferences, seminars, and award ceremonies.

Disabled Persons Protection Commission

2 Boylston Street

Boston, MA 02116

(617) 727-6465 Voice/TDD

(800) 426-9009 Voice/TDD (24-hour hotline)

Conducts and oversees investigations of alleged abuse and monitors the delivery of protective services for people who need them. Receives and reviews reports of suspected abuse through a 24-hour hotline.

Federal Agencies

FEDERAL AGENCIES

Equal Employment Opportunity Commission

1801 L St. NW

Washington, D.C. 20507

(800) USA-EEOC Voice

(202) 663-4494 TDD

Responsible for developing and enforcing ADA employment regulations. Investigates charges of employment discrimination and works to resolve problems through conciliation. 800 number provides referrals to local EEOC offices and information on discrimination laws. Free publications available.

Department of Justice

Office on Americans with Disabilities Act

P.O. Box 66738

Washington, D.C. 20035-9998

(202) 514-0301 Voice

(202) 514-0381 TDD

(202) 514-0383 TDD

Responsible for developing and enforcing the ADA regulations for public accommodations and state and local government agencies. Coordinates federal ADA technical assistance programs. Numbers listed are hotlines for information on the ADA and the regulatory process.

Architectural and Transportation Barriers Compliance Board

1331 F Street NW, Suite 1000

Washington, D.C. 20004-1111

(202) 272-5434 Voice/TDD

(202) 272-5449 TDD

(800) USA-ABLE Voice/TDD

An independent federal architectural agency that establishes accessibility guidelines for the government, and produces or distributes a variety of publications, including the ADA Accessibility Guidelines. Provides technical assistance and information on the architectural requirements of the ADA and other access-related legislation, and architectural, communication, and transportation accessibility.

Department of Housing and Urban Development

Regional Office:

Room 375, Thomas P. O'Neill, Jr. Federal Building
10 Causeway Street
Boston, MA 02222-2092
(617) 565-5234 Voice
(617) 565-5419 TDD

Fair Housing Information Clearinghouse:

(800) 245-2691 Voice, (800) 877-8339 TDD, or (202) 708-9300

Complaint hotline:

(800) 669-9777 Voice, (800) 927-9275 TDD

Federal agency responsible for housing and economic development programs. Information on the Fair Housing Amendment Act and Section 504 of the Rehabilitation Act.

Federal Communications Commission

1919 M Street NW
Washington, D.C. 20554
(202) 632-7260 Voice
(202) 632-6999 TDD

Responsible for enforcement of Title IV of the ADA, which addresses telecommunications relay services and closed captioning of federally funded public service announcements.

Disability and Related Organizations

DISABILITY AND RELATED ORGANIZATIONS

GENERAL DISABILITY

Listings under this heading are resources for information or services pertaining to all types of disability. Resources specifically for physical, hearing and speech, visual, and developmental disabilities are listed separately, following this section.

AbleData

8455 Colesville Road, Suite 935

Silver Spring, MD 20910-3319

(301) 588-9284 Voice/TDD

(800) 346-2742 Voice/TDD

Database with extensive listing of adaptive devices for all types of disabilities; helps find technological solutions for specific situations. Funded by the National Institute on Disability and Rehabilitation Research.

Adaptive Environments Center

374 Congress Street, Suite 301

Boston, MA 02210

(617) 695-1225 Voice/TDD

Provides architectural consulting services, conducts educational seminars, and produces publications on accessibility, including award-winning design guidelines. Publication list is available.

AT&T National Special Needs Center

2001 Route 46, Suite 310

Parsippany, NJ 07054-1315

(800) 233-1222 Voice

(800) 833-3232 TDD

Sells and rents communications equipment to employers of and persons with disabilities. Publishes a directory of TDD services and products available through AT&T. Assists with solving specific telecommunications problems.

Council of Better Business Bureaus

4200 Wilson Boulevard, Suite 800

Arlington, VA 22203-1804

(703) 276-0100 Voice

20 Park Plaza, Suite 820
Boston, MA 02116-4404
(617) 426-9000 Voice

Publications available to interpret the ADA for small businesses include industry-specific advisories for businesses such as supermarkets, restaurants, pharmacies, and other retail stores; *Bureau ADA Seminar Guidelines* to help Better Business Bureaus replicate seminars; and *ADA Options for Dispute Resolutions*.

Disability Law Center

11 Beacon St., Suite 925
Boston, MA 02108
(617) 723-8455 Voice/TDD
(800) 872-9992 Voice

22 Green Street
Northampton, MA 01060
(413) 584-6337 Voice
(413) 584-6024 TDD
(800) 222-5619 Voice

21 South Sixth Street
New Bedford, MA 02740
(508) 996-8576 Voice/TDD
(800) 244-9023 Voice/TDD

Advocacy and law reform agency that provides free legal assistance to people with disabilities. Information, referrals, and training on the legal rights of people with disabilities. Publications on disability law.

Disability Rights Education and Defense Fund

2212 Sixth Street
Berkeley, CA 94710
(510) 644-2555 Voice/TDD
(800) 466-4ADA (ADA hotline)

National Technical Assistance and Training Project provides information and trained leaders for technical assistance on Titles II and III of the ADA. The project includes a toll-free telephone hotline (800 number above), in effect through October 1992, and training programs for trade associations, business groups, and disability and government organizations.

Easter Seals Society

20 Park Plaza
Boston, MA 02116
(617) 482-3370 Voice

State Headquarters:
30 Highland Street
Worcester, MA
(508) 482-3370 Voice
(800) 922-8290 Voice
(800) 564-9700 TDD

5 Ballard Way
Lawrence, MA 0184
(508) 683-1259 Voice

1145 Purchase Street
New Bedford, MA 02740
(508) 997-1553 Voice

380 Union Street
West Springfield, MA 01089
(413) 734-6434 Voice

Provides the following services for people with disabilities: home health services, nursing, physical, speech and occupational therapy, home health aids, social workers, stroke clubs, summer camp for children and young adults, swim programs, an equipment loan program, new toys loan program for children, and a therapy team program.

Epilepsy Foundation

59 Temple Place, Suite 669
Boston, MA 02114
(617) 542-2279 Voice

Provides information and referral, supports individuals and family members who have epilepsy, conducts educational programs for schools, employers, and anyone who is interested in learning about epilepsy.

Information Center for Individuals with Disabilities

Fort Point Place, First Floor
27-43 Wormwood Street
Boston, MA 02210-1606

(617) 727-5540 Voice/TDD

(800) 462-5015 Voice/TDD

Centralized information service about disability products, assistive technology, services, and organizations. Monthly newsletter, *Disability Issues*, is an excellent place for advertising events or services.

Job Accommodation Network

West Virginia University

809 Allen Hall

Morgantown, WV 26506

(304) 293-7186 Voice/TDD

(800) 526-7234 Voice/TDD

International information and consulting resource for employers and job applicants. Part of the President's Committee on Employment of People with Disabilities. Helps solve specific job accommodation problems through their toll-free hotline.

Massachusetts Coalition of Citizens with Disabilities

80 Boylston Street, Suite 950

Boston, MA 02116

(617) 482-1336 Voice/TDD

(800) 879-6223 Voice/TDD

Active in designing, piloting, and demonstrating integrated services for people with disabilities. Major advocacy efforts this year include: accessible taxis, housing rights, attaining essential services in the face of budget constraints, and the implementation of the ADA.

National Organization on Disability

910 16th Street, NW Suite 600

Washington, D.C. 20006

(202) 293-5960 Voice

(202) 293-5968 TDD

(800) 248-2253 Voice

Mobilizes, supports, and involves citizens and groups in working partnerships at the local, state, and national levels. Publishes a list of liaisons employed by state organizations on disability. These contacts can be instrumental to employers who are considering hiring people with disabilities. They also have an information hotline.

New England Disability and Business Technical Assistance Center

145 Newbury Street

Portland, ME 04101

(207) 874-6535 Voice/TDD

(800) 949-4ADA Voice/TDD (reaches center in caller's region)

Provides information, technical assistance, publications, and training seminars concerning the ADA. One of ten federally supported Disability and Business Technical Assistance Centers (DBTACs), funded by the National Institute on Disability and Rehabilitation Research.

New England Telephone TDD/TTY Relay Center

2 Maple Street, 1st Floor

Marlboro, MA 01752

(800) 439-2370 Voice/TDD (to place calls)

(800) 244-5798 Voice/TDD (administration number)

(800) 882-1417 Voice/TDD (New England Telephone Business Office)

Operates the relay service in Massachusetts that relays calls from TDDs to telephones and from telephones to TDDs. There is no charge to use the service in Massachusetts, and users may use all of the regular services New England Telephone provides. If you require a TDD to use the telephone, you are eligible for discounted rates; call the Business Office for an application.

PHYSICAL DISABILITIES

Massachusetts Head Injury Association

484 Main Street # 325

Worcester, MA 01608

(508) 795-0244 Voice

(800) 242-0030 Voice

Provides information and resources available to people with head injuries, has a system of support groups across the state, and runs educational programs.

Massachusetts Spina Bifida Association

24 Wenworth Road

Melrose, MA 02176

(617) 239-1919 Voice

Provides information and support to people with spina bifida and their families. Also provides funding for brace and urinary equipment, parent-to-parent support, and medical conferences.

Muscular Dystrophy Association

350 Washington Street

Dedham, MA 02026

(617) 461-0310 Voice

Serves people with a variety of neuromuscular diseases. Provides mobility aids to people with neuromuscular disabilities. Produces informational pamphlets and conducts research that will assist the employer in meeting the special needs of this group.

Multiple Sclerosis Society

400-1 Tottem Pond Road

Waltham, MA 02154

(617) 890-4990 Voice

Provides information and referral, educational material and speakers, advocacy on legislative issues, self-help groups, counseling, and a vacation program for people with multiple sclerosis. Also conducts research.

Paralyzed Veterans of America

New England Chapter

1600 Providence Highway, Suite 101R

Walpole, MA 02081

(508) 660-1181 Voice

Programs include the National Architecture and Barrier-Free Design Program, which promotes accessibility at the national, state, and community levels. Works with and monitors federal agencies which are responsible for enforcing access requirements. Information on legislation, advocacy, veteran's benefits, Section 190 tax deduction for businesses. Local chapters nationwide.

Spinal Cord Injury Association

600 West Cummings Park, Suite 2000

Woburn, MA 01801

(617) 935-2722 Voice

Provides information and referral to people who have spinal cord injuries, supports research and medical conferences, and has a peer support system for people who are newly injured.

United Cerebral Palsy Associations

1522 K Street, NW, Suite 1112
Washington, D.C. 20005
(202) 842-1266 Voice/TDD
(800) 872-5827 Voice

United Cerebral Palsy of North Shore

103 Johnson Street
Lynn, MA 01902
(617) 532-2727 Voice

United Cerebral Palsy of Berkshire County

438 North Street
Pittsfield, MA 01201
(413) 442-1562 Voice

United Cerebral Palsy of Western Massachusetts

342 Birni Street
Springfield, MA 01107
(413) 788-9695 Voice

United Cerebral Palsy of Greater Boston

71 Arsenal Street
Watertown, MA 02174
(617) 926-5480 Voice

Network of 160 affiliates in 46 states works to affect positively the quality of life for people with cerebral palsy and their families. Provides direct services to and advocates on behalf of people with disabilities. Services and programs in early intervention, education, technology, employment, housing, and individual and family support.

HEARING AND SPEECH DISABILITIES

**American Foundation for the Blind
and National Center for Law and Deafness**

1615 M Street, NW, Suite 250
Washington, D.C. 20036
(202) 223-0101 Voice/TDD (calls on vision issues)
(202) 651-5373 Voice/TDD (calls on hearing issues)

Provides legal and other technical assistance through the ADA Communications Accessibility Project to help overcome communications barriers for people who have vision or hearing disabilities.

Boston Guild for the Hard of Hearing

283 Commonwealth Avenue

Boston, MA 02115

(617) 267-4730 Voice

(617) 267-3496 TDD

Consumer-led organization providing a range of preventive and rehabilitation services, including audiological assessment, hearing aid evaluation, aural rehabilitation, assistive listening device demonstration and education, workshops, counseling, information and referral. Assistive listening devices available for borrowing.

Deaf-Blind Contact Center, Inc.

95 Berkeley Street, Suite 206 A

Boston, MA 02116

(617) 482-2249 Voice/TDD

Provides information, referral and training to service providers and others about the needs and issues of people who are deaf and blind. Also, coordinates a program to match up people in the community with individuals who are deaf and blind, and a self-advocacy program to provide peer support and an opportunity to learn advocacy and coping skills from each other.

D.E.A.F., Inc.

Frederick C. Schreiber Center

215 Brighton Avenue

Allston, MA 02134

(617) 254-4041 Voice/TDD

Specialized deafness-related services in the areas of education, evaluation, employment, deaf-blindness, communication, bilingualism/biculturalism, interpreting, job development, and independent living. D.E.A.F., Inc. employs a staff fluent in a wide range of communication modes.

VISUAL DISABILITIES

American Foundation for the Blind and National Center for Law and Deafness

(See listing under Hearing and Speech Disabilities.)

Massachusetts Association for the Blind

200 Ivy Street

Brookline, MA 02146

(617) 738-5110 Voice

(617) 731-6444 TDD

(800) 682-9200 Voice (Massachusetts only)

Provides large print, braille, and recording services. Fees vary for individuals, students, and profit organizations. Has aid and appliance store and telephone tape.

National Braille Press, Inc.

88 St. Stephen Street

Boston, MA 02215

(617) 266-6160 Voice

Offers books, magazines, and newspapers in braille at affordable prices. Free catalog of publications, in braille or print. Call or write to request list of national resources for transcribing print to braille.

Vision Foundation, Inc.

818 Mount Auburn Street

Watertown, MA 02172

(617) 926-4232 Voice

(800) 852-3029 Voice (Massachusetts only)

Provides information and referrals, especially for people with low vision as well as for people who are nearly blind. Offers home evaluation services and support groups.

DEVELOPMENTAL DISABILITIES

Association for Persons in Supported Employment

5001 West Broad Street, Suite 34

Richmond, VA 23230

(804) 282-3655 Voice

Works to improve and expand integrated employment opportunities and

services for people with severe disabilities. Provides advocacy and information on supported employment, addresses issues which impede the implementation of integrated employment services, promotes policy development which enhances the inclusion and empowerment of people with severe disabilities, and educates the public on the value of including people with severe disabilities as fully participating community members.

Greater Boston Association of Retarded Citizens

1249 Boylston St.

Boston, MA 02215

(617) 266-4520 Voice

National center for information on the application of ADA Title III to people with mental retardation:

(800) 433-5255 Voice

(817) 277-0553 TDD (accepts collect calls)

Research and development of technology for people with mental retardation. Trainers are available to help local businesses; publications are available. Database on assistive technology (the Development Disabilities Library) provides information on publications, resource agencies, and product suppliers.

The Learning Disabilities Network

25 Accord Park Drive

Rockland, MA 02370

(617) 982-8100 Voice

Provides tutoring, referral service, information and a clearinghouse on issues related to learning disabilities.

MENTAL HEALTH SERVICES

Alliance for the Mentally Ill of Massachusetts

23-47 Wormwood Street

Boston, MA 02210

(617) 439-3933 Voice

Provides support groups for people who are mentally ill and their families. Also works on advocacy issues and education activities to remove the stigma associated with people who are mentally ill.

Publications

PUBLICATIONS

Access Improvements Workbook

Adaptive Environments Center, Inc./Welch&Epp Associates, for Commonwealth of Massachusetts Division of Capital Planning and Operations, Executive Office for Administration and Finance, and Office of Handicapped Affairs, 1989.

This book provides facility managers with a systematic process for locating barriers, planning modifications, and estimating costs for capital budgeting. Includes planning sheets, survey checklists and a modifications catalog that describes improvement options and costs.

Available from: State House Book Store, Room 116, State House, Boston, MA 02133, (617) 727-2834 (Cost: \$3.10 plus \$2.55 shipping)

Achieving Physical and Communication Accessibility

National Center for Access Unlimited, 1991.

Clear, easy to use information to help businesses work with employees and customers with four major types of disabilities; physical, hearing and speech, visual and cognitive. Ideas for low-cost improvements to provide access to businesses.

Available from: National Center for Access Unlimited, 155 North Wacker Drive, Suite 315, Chicago, IL 60606, (312) 368-0380 (Cost: \$25.00)

ADAAG Accessibility Checklist (*Working Title*)

U.S. Architectural and Transportation Barriers Compliance Board, 1992.

This checklist is a survey tool which contains all of the scoping and technical requirements of the Americans with Disabilities Act Accessibility Guidelines (ADAAG). It is scheduled to be available in the spring of 1992.

Available from: Architectural and Transportation Barriers Compliance Board (ATBCB), 1331 F Street NW, Suite 1000, Washington, D.C. 20004-1111, (202) 272-5434 Voice/TDD, (202) 272-5449 TDD, (800) USA-ABLE Voice/TDD (Cost: free)

ADA Accessibility Guidelines

Architectural and Transportation Barriers Compliance Board, 1991.

The ADA Accessibility Guidelines (ADAAG) are the new federal accessibility standard for facilities covered by the Americans with Disabilities Act.

Available from: Office of the Americans with Disabilities Act, Civil Rights Division, U.S. Department of Justice, P.O. Box 66118, Washington, D.C. 20035-6118, (202) 514-0301 Voice, (202) 514-0383 TDD

Also available from: Architectural and Transportation Barriers Compliance Board (ATBCB), 1331 F Street NW, Suite 1000, Washington, D.C. 20004-1111, (202) 272-5434 Voice/TDD, (202) 272-5449 TDD, (800) USA-ABLE Voice/TDD (Cost: single copies free)

ADA Compliance Guidebook: A Checklist for Your Building

Building Owners and Managers Association International, 1991.

This offers an overview on Title III regulations addressing accessibility. The detailed survey contains all of the Americans with Disabilities Act Accessibility Guidelines (ADAAG).

Available from: BOMA, 1201 New York Avenue NW, Suite 300, Washington, D.C. 20005, (202) 408-2662 (Cost: \$57.00 includes shipping, non-member price)

Americans with Disabilities Act Handbook

Equal Employment Opportunity Commission/U.S. Department of Justice, 1991.

This comprehensive publication provides background, summary, rule-making history, overview of the regulations, analysis, section by section of comments and revisions, executive order 12291 and annotated regulations of Titles I, II and III, plus appendices and related Federal Disability Laws.

Available from: U.S. Government Bookstore, 10 Causeway Street, Boston, MA 02222, (617) 720-4180 (Cost: \$30.00 includes postage)

The Arts and 504: A 504 Handbook

Barrier Free Environments, Inc./National Endowment for the Arts, 1985.

Illustrated manual for cultural and educational institutions, and communities. Discussion by disability type, with checklist-type questions to aid programmatic compliance. Discussion of architectural, site, and equipment design to ensure environmental accessibility for people with disabilities not only as spectators or onlookers, but also as participants and leaders in performances and activities.

Available from: The Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 (Cost: \$5.00. Stock No. 036-000-00047-3)

Assistive Technology Sourcebook

A. Enders, 1990.

Updated version of comprehensive 1984 publication includes information on new technology and how to locate and select equipment.

Available from: RESNA, 1101 Connecticut Avenue NW, Suite 700, Washington, D.C. 20036, (202) 857-1199 Voice, (202) 857-1140 TDD (Cost: \$60.00 plus \$6.50 shipping)

Design for Access: A Guidebook for Designing Barrier Free State and County Buildings

Adaptive Environments Center, Inc./Welch&Epp Associates/Barrier Free Environments, Inc., for Commonwealth of Massachusetts Capital Planning and Operations, Executive Office for Administration and Finance, and Office of Handicapped Affairs, 1988.

Extensively illustrated reference manual of strategies, techniques, and products for designing barrier-free buildings. Provides technical information on accessibility in building design and renovation. Includes plan review checklists and information on sustaining access.

Available from: State House Book Store, Room 116, State House, Boston, MA 02133, (617) 727-2834 (Cost \$13.75 plus \$2.55 shipping)

Design for Independent Living

Raymond Lifchez and Barbara Winslow, University of California Press, 1979.

Provides well-illustrated, personal examples of how people with disabilities live and work. Highlights a wide range of access solutions, from simple improvisations to high tech inventions. Includes basic design criteria and insight into designing access solutions.

Available from: bookstores, libraries, or the publisher.

The Disability Management Sourcebook

Schwartz, Watson, Galvin, and Lipoff, 1989.

Aimed at businesses, this book provides information on demographic trends, resources for assistance, and managing employees with disabilities.

Available from: Institute for Rehabilitation and Disability Management, Washington Business Group on Health, 229-1/2 Pennsylvania Avenue SE, Washington, D.C. 20003, (202) 408-9320 (Cost: \$30.00)

Readily Achievable Checklist: A Survey for Accessibility

National Center for Access Unlimited, 1991.

Approved by the U.S. Department of Justice as a practical survey tool for existing buildings, the checklist contains detailed questions and suggestions for solutions. It is organized in four sections based on the priorities for barrier removal recommended by the Title III regulations.

Available from: National Center for Access Unlimited, 155 North Wacker Drive, Suite 315, Chicago, IL 60606, (312) 368-0380 (Cost: \$25.00)

The Planner's Guide to Barrier Free Meetings

Barrier Free Environments, Inc./Harold Russell Associates, Inc., 1980.

Illustrated guide to permanent and temporary architectural modifications to ensure accessibility of conference and meeting facilities and sleeping accommodations. Includes sample checklist for programmatic/environmental accessibility. Discussion of equipment/materials to assist visually and hearing impaired participants; highlights architectural requirements for an accessible stage/podium for speakers who have disabilities. Resource list of organizations, accommodations, equipment.

Available from: Barrier Free Environments, Inc., P.O. Box 30634, Raleigh, NC 27622, (Cost: \$11.95 plus \$3.00 shipping)

Rules and Regulations of the Architectural Access Board

Commonwealth of Massachusetts Executive Office of Public Safety, 1987.

Technical requirements for Massachusetts buildings under the jurisdiction of the Architectural Access Board.

Available from: State House Book Store, Room 116, State House, Boston, MA 02133, (617) 727-2834 (Cost \$4.40 plus \$1.75 postage in New England, \$1.90 postage in U.S. outside New England)

Also available from the Architectural Access Board, One Ashburton Place, Room 1310, Boston, MA 02108, (617) 727-0660 Voice/TDD, (800) 828-7222 Voice/TDD (Cost: free)

Uniform Federal Accessibility Standards

General Services Administration/Department of Defense/Department of Housing and Urban Development/U.S. Postal Service, 1984.

UFAS is the applicable technical standard for all facilities covered by Section 504 of the Rehabilitation Act. Under Title II of the ADA, either UFAS or ADAAG may be used.

Available from: Architectural and Transportation Barriers Compliance Board (ATBCB), 1331 F Street NW, Suite 1000, Washington, D.C. 20004-1111, (202) 272-5434 Voice/TDD, (202) 272-5449 TDD, (800) USA-ABLE Voice/TDD (Cost: free)

UFAS Accessibility Checklist

Barrier Free Environments, Inc./Adaptive Environments Center, Inc. for United States Architectural and Transportation Barriers Compliance Board, 1990.

Workbook for surveying buildings for compliance with the Uniform Federal Accessibility Standards. Contains detailed checklists for all areas

of site and building. Includes scoping provisions for various occupancies. The checklists are for use by design professionals or other concerned people, and no special training is needed to use them.

Available from: Architectural and Transportation Barriers Compliance Board (ATBCB), 1331 F Street NW, Suite 1000, Washington, D.C. 20004-1111, (202) 272-5434 Voice/TDD, (202) 272-5449 TDD, (800) USA-ABLE Voice/TDD (Cost: free)

Uniform Federal Accessibility Standards Retrofit Manual

Produced by Barrier Free Environments for the U.S. Architectural and Transportation Barriers Compliance Board, 1991.

Illustrated design guide for removing architectural barriers in retrofit situations. Designed to be used in conjunction with Uniform Federal Accessibility Standards.

Available from: Architectural and Transportation Barriers Compliance Board (ATBCB), 1331 F Street NW, Suite 1000, Washington, D.C. 20004-1111, (202) 272-5434 Voice/TDD, (202) 272-5449 TDD, (800) USA-ABLE Voice/TDD (Cost: free)

What Does Fair Housing Mean to People with Disabilities?

Mental Health Law Project for the National Fair Housing Alliance, 1991.

Booklet designed for people with disabilities who want to rent or buy a home—an apartment or house or condominium or co-op, whether privately or publicly owned or operated. The information is also useful for landlords and housing administrators, real estate agents, and disability advocates.

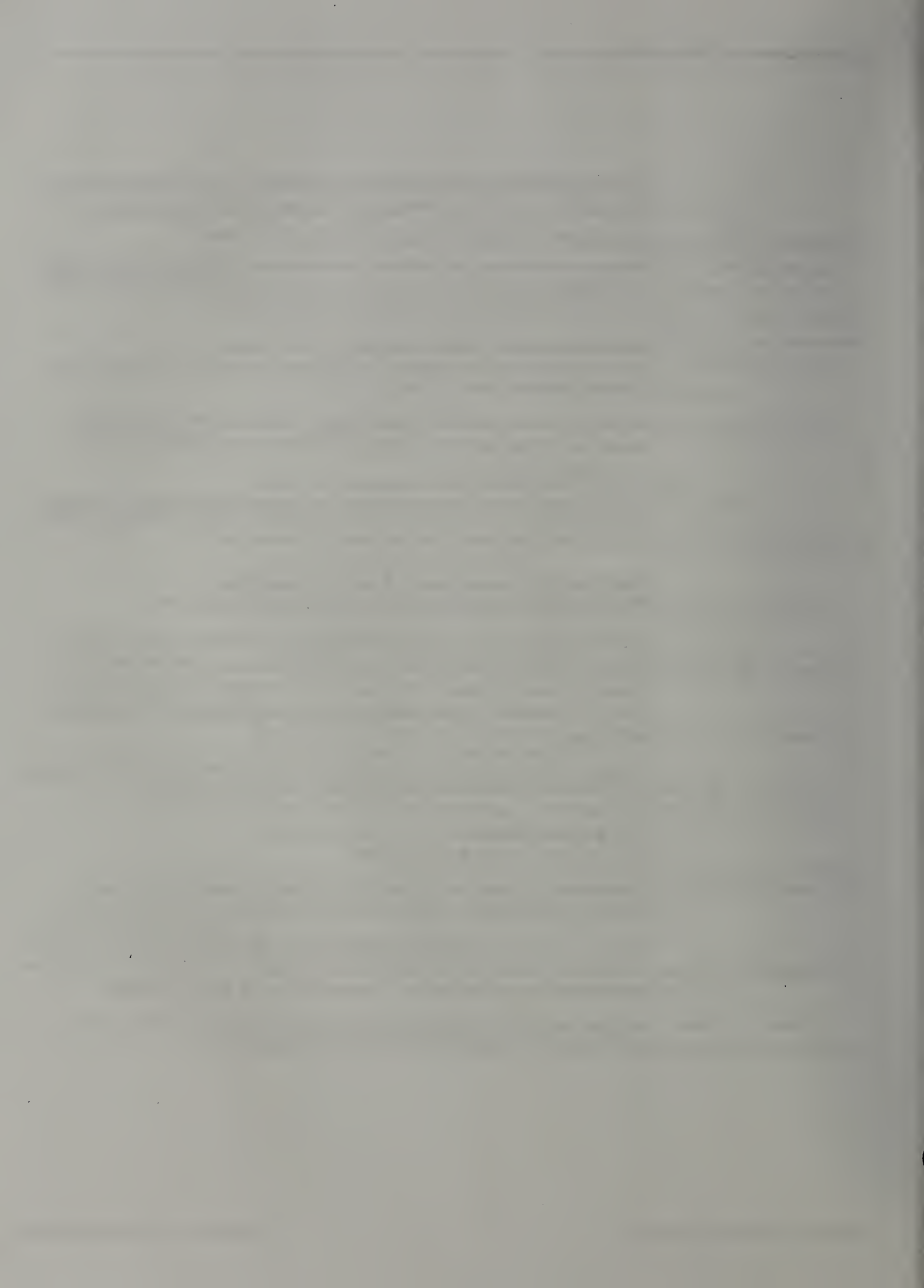
Available from: Mental Health Law Project, 1101 15th Street NW, Suite 1212, Washington, D.C. 20005-5002, (Cost: \$2 each for 2-8 copies, \$1.60 each for 9 or more)

The Workplace Workbook

James Mueller, The Dole Foundation, 1990.

Outstanding guide to workplace adaptations for people with various functional limitations. Geared toward the design of a "universal workplace," one that works well for people with and without disabilities. Clear wording and illustrations make this book highly usable. Includes excellent resource directory for further information on job accommodation.

Available from: RESNA, 1101 Connecticut Avenue, NW, Suite 700, Washington, D.C. 20036, (202) 857-1199 Voice, (202) 857-1140 TDD (Cost: \$32.00)



Massachusetts Architectural Access Board Rules and Regulations

Americans with Disabilities Act Accessibility Guidelines (ADAAG)

ADA Title II Highlights



Title II Highlights

REQUIREMENTS FOR PUBLIC ENTITIES (STATE, COUNTY, MUNICIPAL GOVTS.)

- I. Who is covered by title II of the ADA
- II. Overview of Requirements
- III. "Qualified Individual with a Disability"
- IV. Program Access
- V. Integrated Programs
- VI. Communications
- VII. New Construction and Alterations
- VIII. Enforcement
- IX. Complaints
- X. Designated Agencies
- XI. Technical Assistance

I. Who is Covered by Title II of the ADA

- The title II regulation covers “public entities.”
- “Public entities” include any State or local government and any of its departments, agencies, or other instrumentalities.
- All activities, services, and programs of public entities are covered, including activities of State legislatures and courts, town meetings, police and fire departments, motor vehicle licensing, and employment.
 - Unlike section 504 of the Rehabilitation Act of 1973, which only covers programs receiving Federal financial assistance, title II extends to all the activities of State and local governments whether or not they receive Federal funds.
- Private entities that operate public accommodations, such as hotels, restaurants, theaters, retail stores, dry cleaners, doctors’ offices, amusement parks, and bowling alleys, are not covered by title II but are covered by title III of the ADA and the Department’s regulation implementing title III.
- Public transportation services operated by State and local governments are covered by regulations of the Department of Transportation.
 - DOT’s regulations establish specific requirements for transportation vehicles and facilities, including a requirement that all new busses must be equipped to provide services to people who use wheelchairs.

II. Overview of Requirements

- State and local governments --
 - May not refuse to allow a person with a disability to participate in a service, program, or activity simply because the person has a disability.
 - For example, a city may not refuse to allow a person with epilepsy to use parks and recreational facilities.
 - Must provide programs and services in an integrated setting, unless separate or different measures are necessary to ensure equal opportunity.
 - Must eliminate unnecessary eligibility standards or rules that deny individuals with disabilities an equal opportunity to enjoy their services, programs or activities unless “necessary” for the provisions of the service, program or activity.
 - Requirements that tend to screen out individuals with disabilities, such as requiring a driver’s license as the only acceptable means of identification, are also prohibited.

- Safety requirements that are necessary for the safe operation of the program in question, such as requirements for eligibility for drivers' licenses, may be imposed if they are based on actual risks and not on mere speculation, stereotypes, or generalizations about individuals with disabilities.
- Are required to make reasonable modifications in policies, practices, and procedures that deny equal access to individuals with disabilities, unless a fundamental alteration in the program would result.
- For example, a city office building would be required to make an exception to a rule prohibiting animals in public areas in order to admit guide dogs and other service animals assisting individuals with disabilities.
- Must furnish auxiliary aids and services when necessary to ensure effective communication, unless an undue burden or fundamental alteration would result.
- May provide special benefits, beyond those required by the regulation, to individuals with disabilities.
- May not place special charges on individuals with disabilities to cover the costs of measures necessary to ensure nondiscriminatory treatment, such as making modifications required to provide program accessibility or providing qualified interpreters.
- Shall operate their programs so that, when viewed in their entirety, they are readily accessible to and usable by individuals with disabilities.

III. "Qualified Individuals with Disabilities"

- Title II of the Americans with Disabilities Act provides comprehensive civil rights protections for "qualified individuals with disabilities."
- An "individual with a disability" is a person who --
 - Has a physical or mental impairment that substantially limits a "major life activity," or
 - Has a record of such an impairment, or
 - Is regarded as having such an impairment.
- Examples of physical or mental impairments include, but are not limited to, such contagious and noncontagious diseases and conditions as orthopedic, visual, speech, and hearing impairments; cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism. Homosexuality and bisexuality are not physical or mental impairments under the ADA.

- “Major life activities” include functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.
- Individuals who currently engage in the illegal use of drugs are not protected by the ADA when an action is taken on the basis of their current illegal use of drugs.
- “Qualified” individuals.
 - A “qualified” individual with a disability is one who meets the essential eligibility requirements for the program or activity offered by a public entity.
 - The “essential eligibility requirements” will depend on the type of service or activity involved.
 - For some activities, such as State licensing programs, the ability to meet specific skill and performance requirements may be “essential.”
 - For other activities, such as where the public entity provides information to anyone who requests it, the “essential eligibility requirements” would be minimal.

IV. Program Access

- State and local governments--
 - Must ensure that individuals with disabilities are not excluded from services, programs, and activities because buildings are inaccessible.
 - Need not remove physical barriers, such as stairs, in all existing buildings, as long as they make their programs accessible to individuals who are unable to use an inaccessible existing facility.
 - Can provide the services, programs, and activities offered in the facility to individuals with disabilities through alternative methods, if physical barriers are not removed, such as --
 - Relocating a service to an accessible facility, e.g., moving a public information office from the third floor to the first floor of a building.
 - Providing an aide or personal assistant to enable an individual with a disability to obtain the service.
 - Providing benefits or services at an individual’s home, or at an alternative accessible site.
 - May not carry an individual with a disability as a method of providing program access, except in “manifestly exceptional” circumstances.

- Are not required to take any action that would result in a fundamental alteration in the nature of the service, program, or activity or in undue financial and administrative burdens. However, public entities must take any other action, if available, that would not result in a fundamental alteration or undue burdens but would ensure that individuals with disabilities receive the benefits or services.

V. Integrated Programs

- Integration of individuals with disabilities into the mainstream of society is fundamental to the purposes of the Americans with Disabilities Act.
- Public entities may not provide services or benefits to individuals with disabilities through programs that are separate or different, unless the separate programs are necessary to ensure that the benefits and services are equally effective.
- Even when separate programs are permitted, an individual with a disability still has the right to choose to participate in the regular program.
 - For example, it would not be a violation for a city to offer recreational programs specially designed for children with mobility impairments, but it would be a violation if the city refused to allow children with disabilities to participate in its other recreational programs.
- State and local governments may not require an individual with a disability to accept a special accommodation or benefit if the individual chooses not to accept it.

VI. Communications

- State and local governments must ensure effective communication with individuals with disabilities.
- Where necessary to ensure that communications with individuals with hearing, vision, or speech impairments are as effective as communications with others, the public entity must provide appropriate auxiliary aids.
 - "Auxiliary aids" include such services or devices as qualified interpreters, assistive listening headsets, television captioning and decoders, telecommunications devices for deaf persons (TDD's), videotext displays, readers, taped texts, Brailled materials, and large print materials.
 - A public entity may not charge an individual with a disability for the use of an auxiliary aid.
- Telephone emergency services, including 911 services, must provide direct access to individuals with speech or hearing impairments.

- Public entities are not required to provide auxiliary aids that would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. However, public entities must still furnish another auxiliary aid, if available, that does not result in a fundamental alteration or undue burdens.

VII. New Construction and Alterations

- Public entities must ensure that newly constructed buildings and facilities are free of architectural and communication barriers that restrict access or use by individuals with disabilities.
- When a public entity undertakes alterations to an existing building, it must also ensure that the altered portions are accessible.
- The ADA does not require retrofitting of existing buildings to eliminate barriers, but does establish a high standard of accessibility for new buildings.
 - Public entities may choose between two technical standards for accessible design: The Uniform Federal Accessibility Standard (UFAS), established under the Architectural Barriers Act, or the Americans with Disability Act Accessibility Guidelines, adopted by the Department of Justice for places of public accommodation and commercial facilities covered by title III of the ADA.
 - The elevator exemption for small buildings under ADA Accessibility Guidelines would not apply to public entities covered by title II.

VIII. Enforcement

- Private parties may bring lawsuits to enforce their rights under title II of the ADA. The remedies available are the same as those provided under section 504 of the Rehabilitation Act of 1973. A reasonable attorney's fee may be awarded to the prevailing party.
- Individuals may also file complaints with appropriate administrative agencies.
 - The regulation designates eight Federal agencies to handle complaints filed under title II.
 - Complaints may also be filed with any Federal agency that provides financial assistance to the program in question, or with the Department of Justice, which will refer the complaint to the appropriate agency.

IX. Complaints

- Any individual who believes that he or she is a victim of discrimination prohibited by the regulation may file a complaint. Complaints on behalf of classes of individuals are also permitted.

- Complaints should be in writing, signed by the complainant or an authorized representative, and should contain the complainant's name and address and describe the public entity's alleged discriminatory action.

- Complaints may be sent to --

Coordination and Review Section
Civil Rights Division
U.S. Department of Justice
P.O. Box 66118
Washington, D.C. 20035-6118.

- Complaints may also be sent to agencies designated to process complaints under the regulation, or to agencies that provide Federal financial assistance to the program in question.

X. Designated Agencies

The following agencies are designated for enforcement of title II for components of State and local governments that exercise responsibilities, regulate, or administer services, programs, or activities in the following functional areas --

- (1) Department of Agriculture: Farming and the raising of livestock, including extension services.
- (2) Department of Education: Education systems and institutions (other than health-related schools), and libraries.
- (3) Department of Health and Human Services: Schools of medicine, dentistry, nursing, and other health-related schools; health care and social service providers and institutions, including "grass-roots" and community services organizations and programs; and preschool and daycare programs.
- (4) Department of Housing and Urban Development: State and local public housing, and housing assistance and referral.
- (5) Department of Interior: Lands and natural resources, including parks and recreation, water and waste management, environmental protection, energy, historic and cultural preservation, and museums.
- (6) Department of Justice: Public safety, law enforcement, and the administration of justice, including courts and correctional institutions; commerce and industry, including banking and finance, consumer protection, and insurance; planning, development, and regulation (unless otherwise assigned); State and local government support services; and all other government functions not assigned to other designated agencies.
- (7) Department of Labor: Labor and the work force.
- (8) Department of Transportation: Transportation, including highways, public transportation, traffic management (non-law enforcement), automobile licensing and inspection, and driver licensing.

XL. Technical Assistance

- The ADA requires that the Federal agencies responsible for issuing ADA regulations provide "technical assistance."
- Technical assistance is the dissemination of information (either directly by the Department or through grants and contracts) to assist the public, including individuals protected by the ADA and entities covered by the ADA, in understanding the new law.
- Methods of providing information include, for example, audio-visual materials, pamphlets, manuals, electronic bulletin boards, checklists, and training.
- The Department issued for public comment on December 5, 1990, a government-wide plan for the provision of technical assistance.

The Department's efforts focus on raising public awareness of the ADA by providing--

- Fact sheets and pamphlets in accessible formats,
 - Speakers for workshops, seminars, classes, and conferences,
 - An ADA telephone information line, and
 - Access to ADA documents through an electronic bulletin board for users of personal computers.
- The Department has established a comprehensive program of technical assistance relating to public accommodations and State and local governments.
 - Grants will be awarded for projects to inform individuals with disabilities and covered entities about their rights and responsibilities under the ADA and to facilitate voluntary compliance.
 - The Department will issue a technical assistance manual by January 26, 1992, for individuals or entities with rights or duties under the ADA.

For additional information, contact:

Office on the Americans with Disabilities Act
Civil Rights Division
U.S. Department of Justice
P.O. Box 66118
Washington, D.C 20035-6118
(202) 514-0301 (Voice)
(202) 514-0383 (TDD)
(202) 514-6193 (Electronic Bulletin Board).

ADA Title III Highlights



Title III Highlights

REQUIREMENTS FOR PUBLIC ACCOMMODATIONS

- I. Who is Covered by title III of the ADA
- II. Overview of Requirements
- III. "Individuals with Disabilities"
- IV. Eligibility for Goods and Services
- V. Modifications in Policies, Practices, and Procedures
- VI. Auxiliary Aids
- VII. Existing Facilities: Removal of Barriers
- VIII. Existing Facilities: Alternatives to Barrier Removal
- IX. New Construction
- X. Alterations
- XI. Overview of Americans with Disabilities Act Accessibility Guidelines for New Construction and Alterations
- XII. Examinations and Courses
- XIII. Enforcement of the ADA and its Regulations
- XIV. Technical Assistance

I. Who is Covered by Title III of the ADA

- The title III regulation covers --
 - Public accommodations (i.e., private entities that own, operate, lease, or lease to places of public accommodation),
 - Commercial facilities, and
 - Private entities that offer certain examinations and courses related to educational and occupational certification.
- Places of public accommodation include over five million private establishments, such as restaurants, hotels, theaters, convention centers, retail stores, shopping centers, dry cleaners, laundromats, pharmacies, doctors' offices, hospitals, museums, libraries, parks, zoos, amusement parks, private schools, day care centers, health spas, and bowling alleys.
- Commercial facilities are nonresidential facilities, including office buildings, factories, and warehouses, whose operations affect commerce.
- Entities controlled by religious organizations, including places of worship, are not covered.
- Private clubs are not covered, except to the extent that the facilities of the private club are made available to customers or patrons of a place of public accommodation.
- State and local governments are not covered by the title III regulation, but rather by the Department of Justice's title II regulation.

II. Overview of Requirements

- Public accommodations must --
 - Provide goods and services in an integrated setting, unless separate or different measures are necessary to ensure equal opportunity.
 - Eliminate unnecessary eligibility standards or rules that deny individuals with disabilities an equal opportunity to enjoy the goods and services of a place of public accommodation.
 - Make reasonable modifications in policies, practices, and procedures that deny equal access to individuals with disabilities, unless a fundamental alteration would result in the nature of the goods and services provided.
 - Furnish auxiliary aids when necessary to ensure effective communication, unless an undue burden or fundamental alteration would result.

- Remove architectural and structural communication barriers in existing facilities where readily achievable.
 - Provide readily achievable alternative measures when removal of barriers is not readily achievable.
 - Provide equivalent transportation services and purchase accessible vehicles in certain circumstances.
 - Maintain accessible features of facilities and equipment.
 - Design and construct new facilities and, when undertaking alterations, alter existing facilities in accordance with the Americans with Disabilities Act Accessibility Guidelines issued by the Architectural and Transportation Barriers Compliance Board and incorporated in the final Department of Justice title III regulation.
- A public accommodation is not required to provide personal devices such as wheelchairs; individually prescribed devices (e.g., prescription eyeglasses or hearing aids); or services of a personal nature including assistance in eating, toileting, or dressing.
 - A public accommodation may not discriminate against an individual or entity because of the known disability of a person with whom the individual or entity is known to associate.
 - Commercial facilities are only subject to the requirement that new construction and alterations conform to the ADA Accessibility Guidelines. The other requirements applicable to public accommodations listed above do not apply to commercial facilities.
 - Private entities offering certain examinations or courses (i.e., those related to applications, licensing, certification, or credentialing for secondary or postsecondary education, professional, or trade purposes) must offer them in an accessible place and manner or offer alternative accessible arrangements.

III. “Individuals with Disabilities”

- The Americans with Disabilities Act provides comprehensive civil rights protections for “individuals with disabilities.”
- An individual with a disability is a person who --
 - Has a physical or mental impairment that substantially limits one or more “major life activities,” or
 - Has a record of such an impairment, or
 - Is regarded as having such an impairment.

- Examples of physical or mental impairments include, but are not limited to, such contagious and noncontagious diseases and conditions as orthopedic, visual, speech, and hearing impairments; cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism. Homosexuality and bisexuality are not physical or mental impairments under the ADA.
- “Major life activities” include functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.
- Individuals who currently engage in the illegal use of drugs are not protected by the ADA when an action is taken on the basis of their current illegal use of drugs.

IV. Eligibility for Goods and Services

- In providing goods and services, a public accommodation may not use eligibility requirements that exclude or segregate individuals with disabilities, unless the requirements are “necessary” for the operation of the public accommodation.
 - For example, excluding individuals with cerebral palsy from a movie theater or restricting individuals with Down’s Syndrome to only certain areas of a restaurant would violate the regulation.
- Requirements that tend to screen out individuals with disabilities, such as requiring a blind person to produce a driver’s license as the sole means of identification for cashing a check, are also prohibited.
- Safety requirements may be imposed only if they are necessary for the safe operation of a place of public accommodation. They must be based on actual risks and not on mere speculation, stereotypes, or generalizations about individuals with disabilities.
 - For example, an amusement park may impose height requirements for certain rides when required for safety.
- Extra charges may not be imposed on individuals with disabilities to cover the costs of measures necessary to ensure nondiscriminatory treatment, such as removing barriers or providing qualified interpreters.

V. Modifications in Policies, Practices, and Procedures

- A public accommodation must make reasonable modifications in its policies, practices, and procedures in order to accommodate individuals with disabilities.
- A modification is not required if it would “fundamentally alter” the goods, services, or operations of the public accommodation.

- For example, a department store may need to modify a policy of only permitting one person at a time in a dressing room if an individual with mental retardation needs the assistance of a companion in dressing.
- Modifications in existing practices generally must be made to permit the use of guide dogs and other service animals.
- Specialists are not required to provide services outside of their legitimate areas of specialization.
 - For example, a doctor who specializes exclusively in burn treatment may refer an individual with a disability, who is not seeking burn treatment, to another provider. A burn specialist, however, could not refuse to provide burn treatment to, for example, an individual with HIV disease.

VI. Auxiliary Aids

- A public accommodation must provide auxiliary aids and services when they are necessary to ensure effective communication with individuals with hearing, vision, or speech impairments.
- “Auxiliary aids” include such services or devices as qualified interpreters, assistive listening headsets, television captioning and decoders, telecommunications devices for deaf persons (TDD’s), videotext displays, readers, taped texts, brailled materials, and large print materials.
- The auxiliary aid requirement is flexible. For example, a brailled menu is not required, if waiters are instructed to read the menu to blind customers.
- Auxiliary aids that would result in an undue burden, (i.e., “significant difficulty or expense”) or in a fundamental alteration in the nature of the goods or services are not required by the regulation. However, a public accommodation must still furnish another auxiliary aid, if available, that does not result in a fundamental alteration or an undue burden.

VII. Existing Facilities: Removal of Barriers

- Physical barriers to entering and using existing facilities must be removed when “readily achievable.”
- Readily achievable means “easily accomplishable and able to be carried out without much difficulty or expense.”
- What is readily achievable will be determined on a case-by-case basis in light of the resources available.
 - The regulation does not require the rearrangement of temporary or movable structures, such as furniture, equipment, and display racks to the extent that it would result in a significant loss of selling or serving space.

- Legitimate safety requirements may be considered in determining what is readily achievable so long as they are based on actual risks and are necessary for safe operation.
- Examples of barrier removal measures include --
 - Installing ramps,
 - Making curb cuts at sidewalks and entrances,
 - Rearranging tables, chairs, vending machines, display racks, and other furniture,
 - Widening doorways,
 - Installing grab bars in toilet stalls, and
 - Adding raised letters or braille to elevator control buttons.
- First priority should be given to measures that will enable individuals with disabilities to “get in the front door,” followed by measures to provide access to areas providing goods and services.
- Barrier removal measures must comply, when readily achievable, with the alterations requirements of the ADA Accessibility Guidelines. If compliance with the Guidelines is not readily achievable, other safe, readily achievable measures must be taken, such as installation of a slightly narrower door than would be required by the Guidelines.

VIII. Existing Facilities: Alternatives to Barrier Removal

- The ADA requires the removal of physical barriers, such as stairs, if it is “readily achievable.” However, if removal is not readily achievable, alternative steps must be taken to make goods and services accessible.

Examples of alternative measures include --

- Providing goods and services at the door, sidewalk, or curb,
- Providing home delivery,
- Retrieving merchandise from inaccessible shelves or racks,
- Relocating activities to accessible locations.
- Extra charges may not be imposed on individuals with disabilities to cover the costs of measures used as alternatives to barrier removal. For example, a restaurant may not charge a wheelchair user extra for home delivery when it is provided as the alternative to barrier removal.

IX. New Construction

- All newly constructed places of public accommodation and commercial facilities must be accessible to individuals with disabilities to the extent that it is not structurally impracticable.
- The new construction requirements apply to any facility occupied after January 26, 1993, for which the last application for a building permit or permit extension is certified as complete after January 26, 1992.
- Full compliance will be considered “structurally impracticable” only in those rare circumstances when the unique characteristics of terrain prevent the incorporation of accessibility features (e.g., marshland that requires construction on stilts).
- The architectural standards for accessibility in new construction are contained in the ADA Accessibility Guidelines issued by the Architectural and Transportation Barriers Compliance Board, an independent Federal agency. These standards are incorporated in the final Department of Justice title III regulation.
- Elevators are not required in facilities under three stories or with fewer than 3,000 square feet per floor, unless the building is a shopping center, shopping mall, professional office of a health care provider, or station used for public transportation.

X. Alterations

- Alterations after January 26, 1992, to existing places of public accommodation and commercial facilities must be accessible to the maximum extent feasible.
- The architectural standards for accessibility in alterations are contained in the ADA Accessibility Guidelines issued by the Architectural and Transportation Barriers Compliance Board. These standards are incorporated in the final Department of Justice title III regulation.
- An alteration is a change that affects usability of a facility. For example, if during remodeling, renovation, or restoration, a doorway is being relocated, the new doorway must be wide enough to meet the requirements of the ADA Accessibility Guidelines.
- When alterations are made to a “primary function area,” such as the lobby or work areas of a bank, an accessible path of travel to the altered area, and the bathrooms, telephones, and drinking fountains serving that area, must be made accessible to the extent that the added accessibility costs are not disproportionate to the overall cost of the original alteration.
 - Alterations to windows, hardware, controls, electrical outlets, and signage in primary function areas do not trigger the path of travel requirement.
 - The added accessibility costs are disproportionate if they exceed 20 percent of the original alteration.

- Elevators are not required in facilities under three stories or with fewer than 3,000 square feet per floor, unless the building is a shopping center, shopping mall, professional office of a health care provider, or station used for public transportation.

XL Overview of Americans with Disabilities Act Accessibility Guidelines for New Construction and Alterations

- New construction and alterations must be accessible in compliance with the ADA Accessibility Guidelines.
- The Guidelines contain general design (“technical”) standards for building and site elements, such as parking, accessible routes, ramps, stairs, elevators, doors, entrances, drinking fountains, bathrooms, controls and operating mechanisms, storage areas, alarms, signage, telephones, fixed seating and tables, assembly areas, automated teller machines, and dressing rooms. They also have specific technical standards for restaurants, medical care facilities, mercantile facilities, libraries, and transient lodging (such as hotels and shelters).
- The Guidelines also contain “scoping” requirements for various elements (i.e., it specifies how many, and under what circumstances, accessibility features must be incorporated).
- Following are examples of scoping requirements in new construction --
 - At least 50 percent of all public entrances must be accessible. In addition, there must be accessible entrances to enclosed parking, pedestrian tunnels, and elevated walkways.
 - An accessible route must connect accessible public transportation stops, parking spaces, passenger loading zones, and public streets or sidewalks to all accessible features and spaces within a building.
 - Every public and common use bathroom must be accessible. Only one stall must be accessible, unless there are six or more stalls, in which case two stalls must be accessible (one of which must be of an alternate, narrow-style design).
 - Each floor in a building without a supervised sprinkler system must contain an “area of rescue assistance” (i.e., an area with direct access to an exit stairway where people unable to use stairs may await assistance during an emergency evacuation).
 - One TDD must be provided inside any building that has four or more public pay telephones, counting both interior and exterior phones. In addition, one TDD must be provided whenever there is an interior public pay phone in a stadium or arena; convention center; hotel with a convention center; covered shopping mall; or hospital emergency, recovery, or waiting room.
 - One accessible public phone must be provided for each floor, unless the floor has two or more banks of phones, in which case there must be one accessible phone for each bank.

- Fixed seating assembly areas that accommodate 50 or more people or have audio-amplification systems must have a permanently installed assistive listening system.
 - Dispersal of wheelchair seating in theaters is required where there are more than 300 seats. In addition, at least one percent of all fixed seats must be aisle seats without armrests (or with movable armrests). Fixed seating for companions must be located adjacent to each wheelchair location.
 - Where automated teller machines are provided, at least one must be accessible.
 - Five percent of fitting and dressing rooms (but never less than one) must be accessible.
- Following are examples of specific scoping requirements for new construction of special types of facilities, such as restaurants, medical care facilities, mercantile establishments, libraries, and hotels --
- In restaurants, generally all dining areas and five percent of fixed tables (but not less than one) must be accessible.
 - In medical care facilities, all public and common use areas must be accessible. In general purpose hospitals and in psychiatric and detoxification facilities, ten percent of patient bedrooms and toilets must be accessible. The required percentage is 100 percent for special facilities treating conditions that affect mobility, and 50 percent for long-term care facilities and nursing homes.
 - In mercantile establishments, at least one of each type of counter containing a cash register and at least one of each design of check-out aisle must be accessible. In some cases, additional check-out aisles are required to be accessible (i.e., from 20 to 40 percent) depending on the number of check-out aisles and the size of the facility.
 - In libraries, all public areas must be accessible. In addition, five percent of fixed tables or study carrels (or at least one) must be accessible. At least one lane at the check-out area and aisles between card catalogs, magazine displays, and stacks must be accessible.
 - In hotels, four percent of the first 100 rooms and approximately two percent of rooms in excess of 100 must be accessible to persons with hearing impairments (i.e., contain visual alarms, visual notification devices, volume-control telephones, and an accessible electrical outlet for a TDD) and to persons with mobility impairments. Moreover, an identical percentage of additional rooms must be accessible to persons with hearing impairments.
 - Technical and scoping requirements for alterations are sometimes less stringent than those for new construction. For example, when compliance with the new construction requirements would be technically infeasible, one accessible unisex bathroom per floor is acceptable.

XII. Examinations and Courses

- Certain examinations or courses offered by a private entity (i.e., those that are related to applications, licensing, certification, or credentialing for secondary or postsecondary education, professional, or trade purposes) must either be given in a place and manner accessible to persons with disabilities, or be made accessible through alternative means.
- In order to provide an examination in an accessible place and manner, a private entity must --
 - Assure that the examination measures what it is intended to measure, rather than reflecting the individual's impaired sensory, manual, or speaking skills.
 - Modify the examination format when necessary (e.g., permit additional time).
 - Provide auxiliary aids (e.g., taped exams, interpreters, large print answer sheets, or qualified readers), unless they would fundamentally alter the measurement of the skills or knowledge that the examination is intended to test or would result in an undue burden.
 - Offer any modified examination at an equally convenient location, as often, and in as timely a manner as are other examinations.
 - Administer examinations in a facility that is accessible or provide alternative comparable arrangements, such as providing the examination at an individual's home with a proctor.
- In order to provide a course in an accessible place and manner, a private entity may need to -
 - Modify the course format or requirements (e.g., permit additional time for completion of the course).
 - Provide auxiliary aids, unless a fundamental alteration or undue burden would result.
 - Administer the course in a facility that is accessible or provide alternative comparable arrangements, such as provision of the course through video tape, audio cassettes, or prepared notes.

XIII. Enforcement of the ADA and its Regulations

- Private parties may bring lawsuits to obtain court orders to stop discrimination. No monetary damages will be available in such suits. A reasonable attorney's fee, however, may be awarded.
- Individuals may also file complaints with the Attorney General who is authorized to bring lawsuits in cases of general public importance or where a "pattern or practice" of discrimination is alleged.

- In suits brought by the Attorney General, monetary damages (not including punitive damages) and civil penalties may be awarded. Civil penalties may not exceed \$50,000 for a first violation or \$100,000 for any subsequent violation.

XIV. Technical Assistance

- The ADA requires that the Federal agencies responsible for issuing ADA regulations provide "technical assistance."
- Technical assistance is the dissemination of information (either directly by the Department or through grants and contracts) to assist the public, including individuals protected by the ADA and entities covered by the ADA, in understanding the new law.
- Methods of providing information include, for example, audio-visual materials, pamphlets, manuals, electronic bulletin boards, checklists, and training.
- The Department issued for public comment on December 5, 1990, a government-wide plan for the provision of technical assistance.

The Department's efforts focus on raising public awareness of the ADA by providing--

- Fact sheets and pamphlets in accessible formats,
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 - Access to ADA documents through an electronic bulletin board for users of personal computers.
- The Department has established a comprehensive program of technical assistance relating to public accommodations and State and local governments.
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(202) 514-6193 (Electronic Bulletin Board)

ADA Title III Fact Sheets

What Is a Public Accommodation?

Auxiliary Aids and Services: Providing Effective Communication

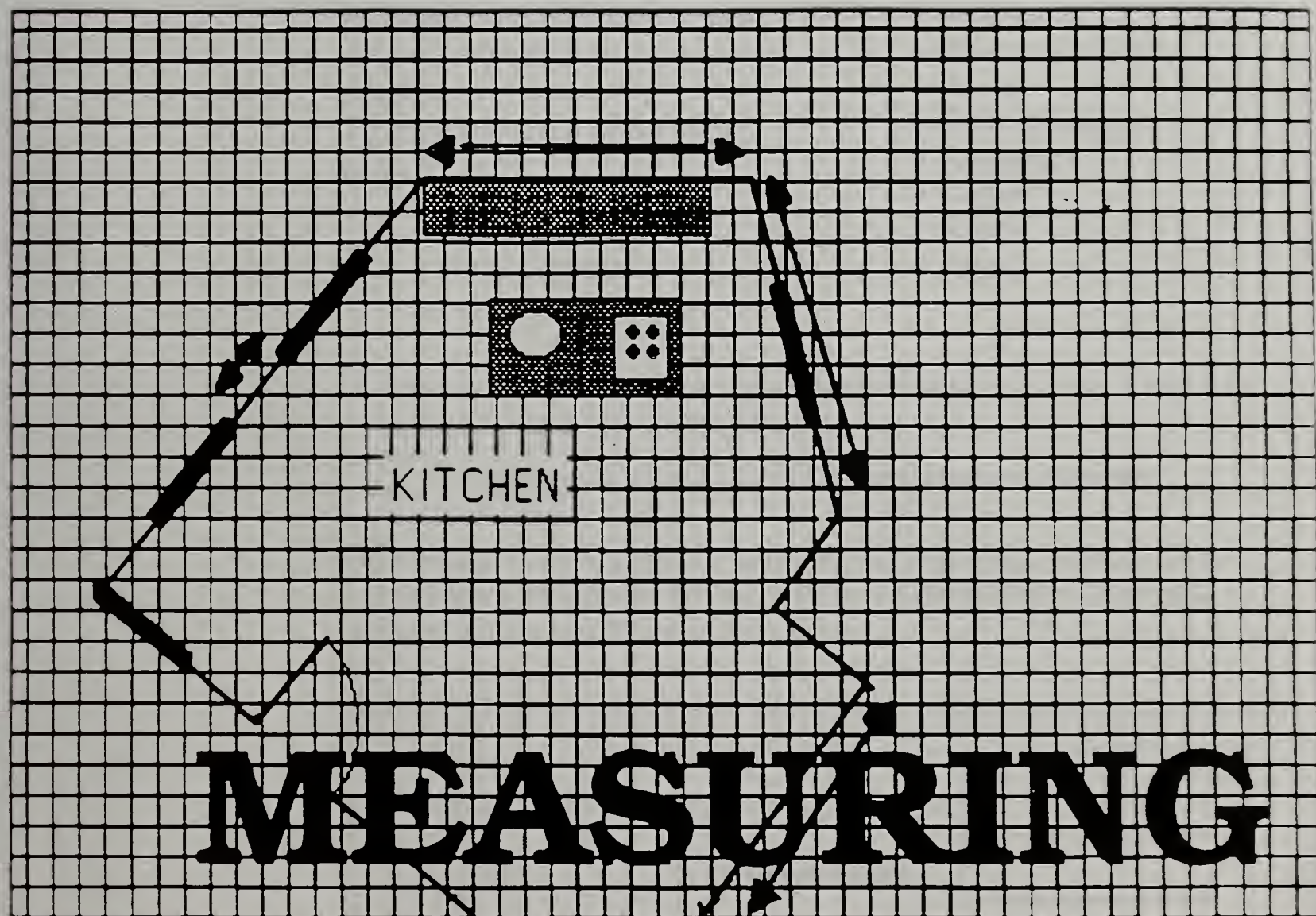
Communicating with People with Disabilities

Tax Incentives for Improving Accessibility

Alternatives to Barrier Removal

Sketching and Measuring

Sketching and



A Handbook of the Adaptive
Environments Center

HOW TO MEASURE UP A SPACE.

Measuring a space and drawing a floor plan are early steps in the design process. They are tools for both analyzing the current space and planning future modifications. This section explains how to measure and draw the fixed features of any space.

To measure up a space, you must have:

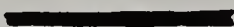


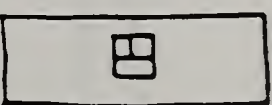




- Tape measure.
- Plain paper.
- Pencil with eraser.






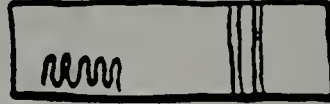
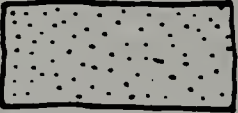



You will be locating, measuring, and drawing all the "fixed features" of the area. These include:

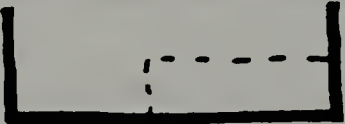
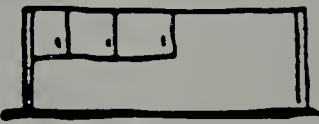

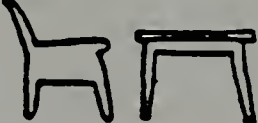




- Walls
- Built-in-furnishings
- Windows
- Electrical outlets
- Doors
- Ceiling heights
- Radiators
- Lights
- Stairs
- Pipes

You will want to leave out all furnishings for now. They can be added and/or changed later.

Designers use a graphic language to represent walls, doors, windows, etc. Some of the symbols needed for drawing a room are in the illustrations here:

	PLAN	ELEVATION
WALL		
WINDOW		
DOOR		
COUNTER/ FLOOR CABINETS		

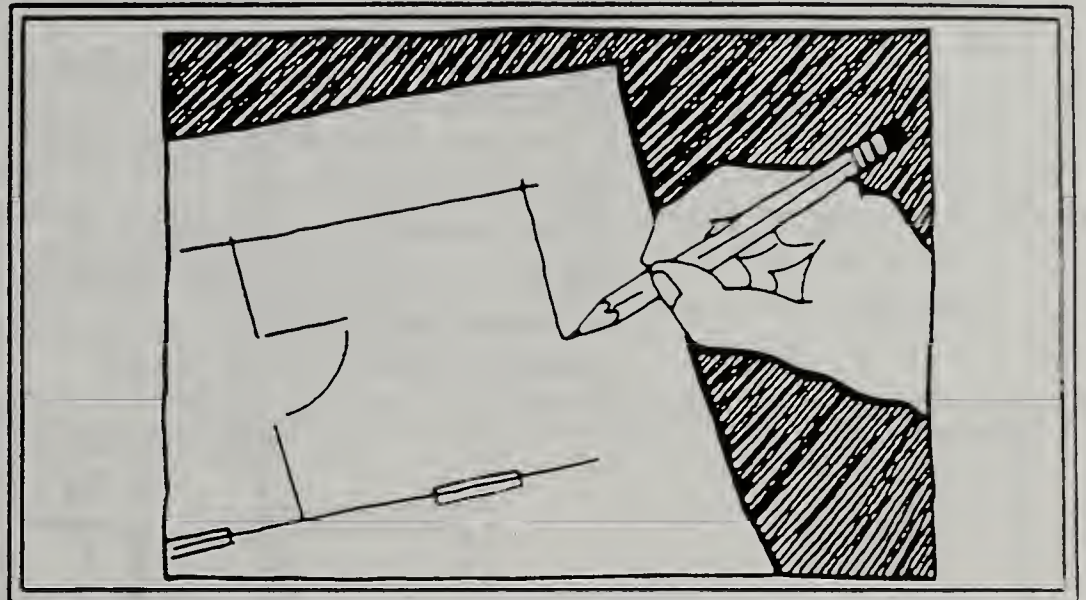
	PLAN	ELEVATION
ELECTRICAL OUTLETS		
SWITCHES		
PIPES & RADIATORS		
CARPET		
FIREPLACES, CHIMNEYS		

	PLAN	ELEVATION
HANGING SHELF OR CABINET		
FURNITURE		
SINK & TOILET		
STAIRS		

Step 1: Drawing the Space.

Begin the process of measuring up your space by drawing a floor plan. A floor plan is a two-dimensional map of the room. It is a bird's eye view of the

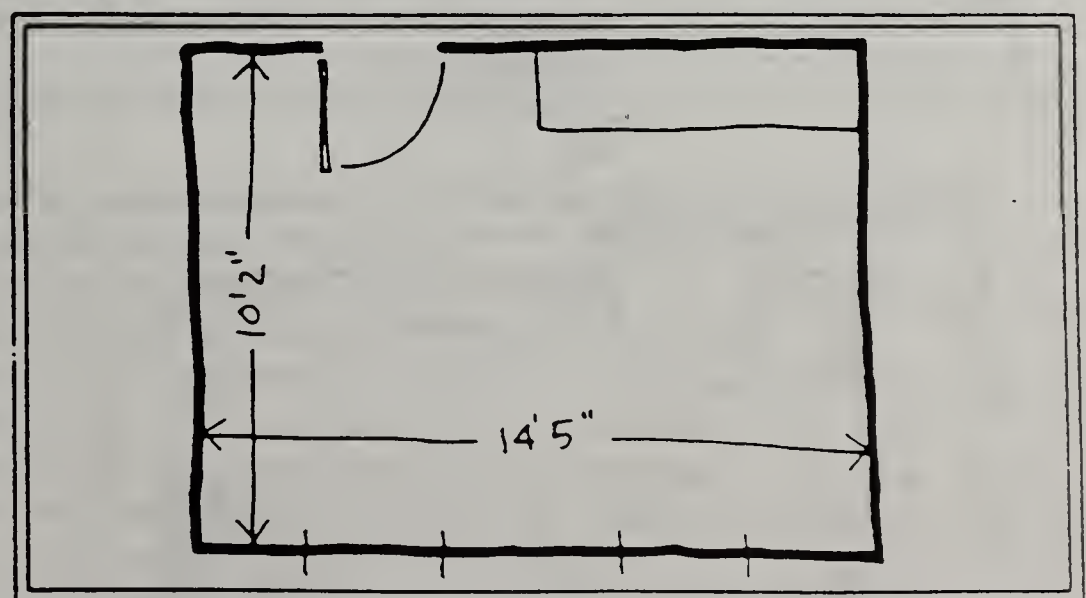
room. Include in this drawing all the fixed features in their approximate locations. This initial drawing will look like this:



Step 2: Overall Dimensions.

Measure the overall dimensions of the room, from corner to corner. Secure one end of the measuring tape at the beginning point and measure the exact length. If the length is longer than the tape, pencil

a mark on the wall where the last tape measurement occurs. Replace the beginning of the tape on the mark and continue from there. That wall's dimension will be the sum of the two lengths.



Working in Pairs.

It is often helpful to work in pairs to measure a space. One person holds the tape end securely while the other marks and measures. One person calls the dimensions as

s/he measures them, and the other draws and writes dimensions on the plan. Most importantly, two people can check each other's work to ensure accuracy.

Step 3: Accuracy.

Double check measurements as you proceed. One little error can throw all the others off. Try measuring the same area once from right to left and again from left to right. Or have another person take the same measurement.

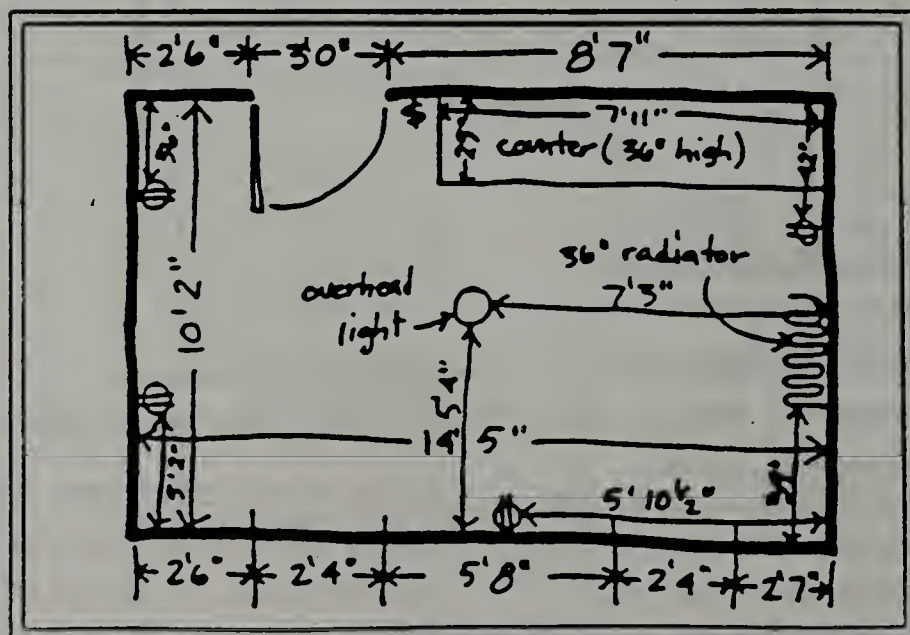
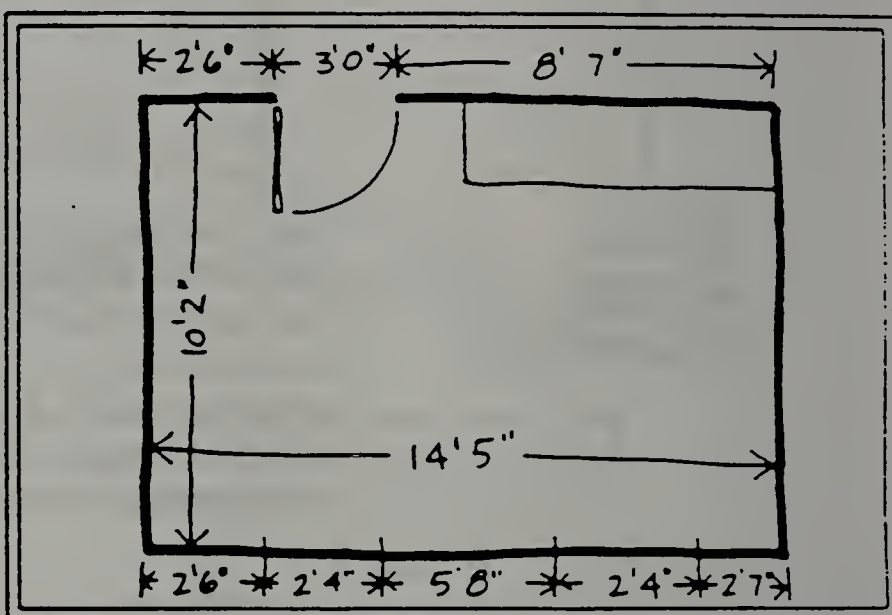
Doors and windows. Add the dimensions of doors and windows. Be sure to show which way the doors swing. Show the exact dimensions of the doors and windows as well as the frames and sills. Measure how far from each

corner they are. Make a note of their heights.

Accuracy check. To check the accuracy of your measurements, add all the wall, window and door measurements. The sum should equal the overall length of that wall horizontally, or the overall height of the wall vertically. If it doesn't, go back and re-measure. Your measurements should be accurate to 1/2".

Step 4: Other fixed features.

Continue adding the size and location of the other fixed features of the room: built-in cabinets, sink, pipes, radiators, etc.



Write it Down

While measuring the space, it is important to write all measurements and notes on the drawings. These drawings are usually NOT NEAT. (That's why it's a good idea to work in pencil.) They are, however, accurate and complete. Later, they will be neatly redrawn and reproduced.

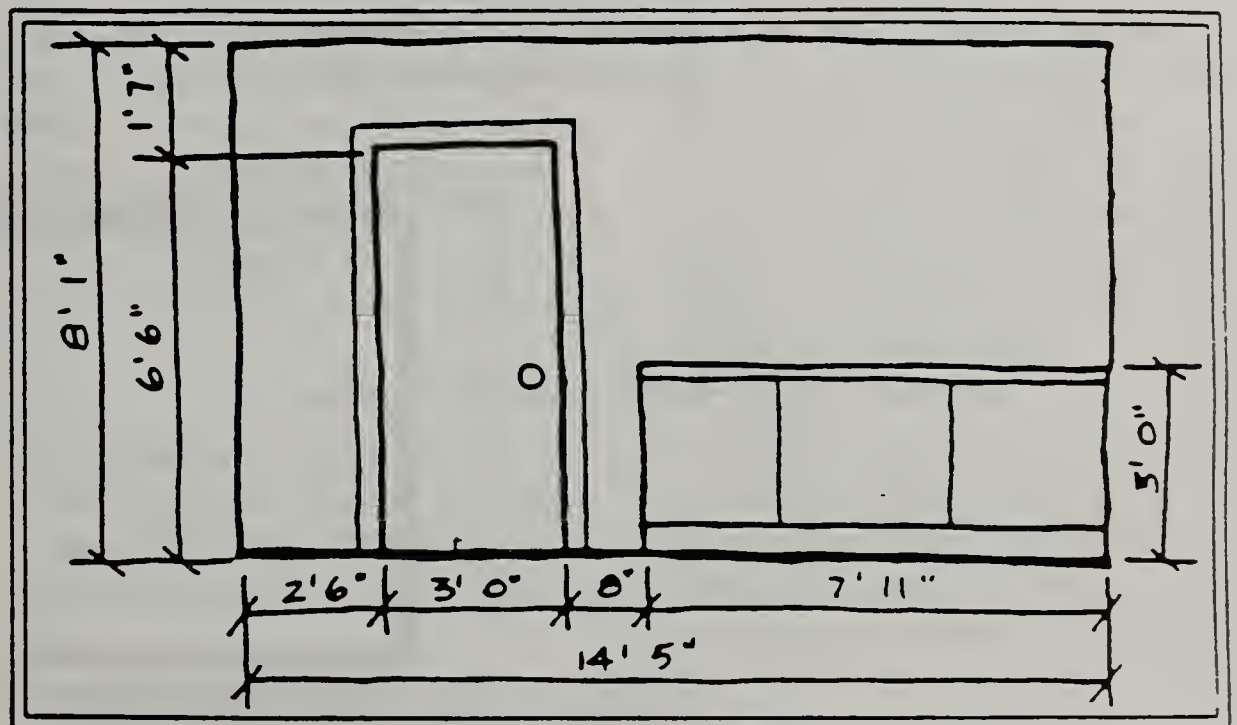
Elevations.

Knowing the vertical dimensions is as important as knowing the horizontal ones, i.e., it is as important to know how tall things are as how long and wide they are.

An "elevation" is a two-dimensional drawing that illustrates what can be seen if standing at one end of the room and looking straight ahead at one of the walls. It allows you to locate fixed

features in walls that might not show on the plan view.

Draw an elevation for each wall to show all vertical dimensions in the room. Measure the distance from the floor to the ceiling and write the ceiling height on the elevation. In older buildings, the ceiling height may vary so take this measurement in more than one location.



Accuracy check.

Be sure that all vertical dimensions add up to the total ceiling-to-floor height. Re-measure pipe widths to double check with the floor plan measurements.

After measuring up the space, take the floor plans, elevations, and notes home. The next step will be to transcribe these sketches and notes into clean, accurate scale drawings that show all fixed features and dimensions.

These are valuable documents for reference in case a measurement is

forgotten or transcribed incorrectly.

The final plans and elevations will be used:

- For the floor and walls of a model.
- As base plans over which trace paper sketches can be drawn.
- For showing others - family, contractors, etc.
- To decide on exact dimensions and locations of furnishings such as cabinets, loft, tables, cubbies, etc

DRAWING FLOOR PLANS AND ELEVATIONS TO SCALE.

After sketching and measuring up your space, you can draw final floor plans and elevations to scale. These drawings can be used for:

- The floor and walls of a model.
- Presentations.
- Drawings over which design planning and sketching can be done on trace paper.

Scale

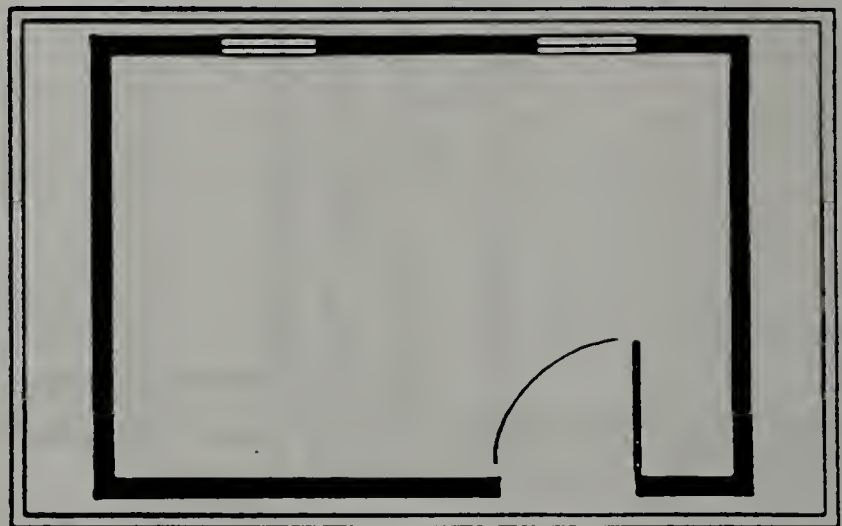
Drawing a floor plan or elevation to scale requires representing larger room measurements on small paper.

Because full size floor plans are not practical, a method for reducing their size and maintaining their proportions

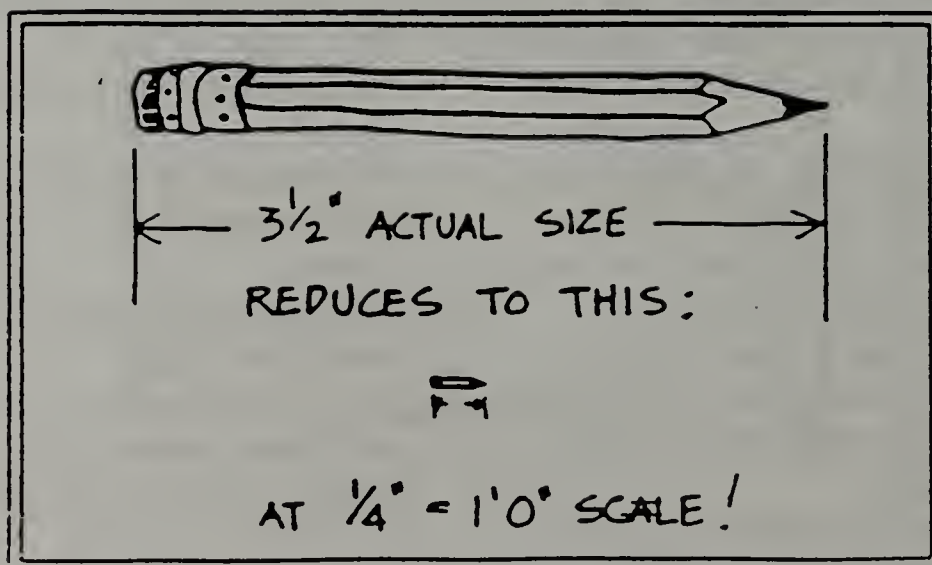
is used. This method is called "scaling." A measurement is selected to represent 1".

$1" = 1'$, $1/2" = 1'$, $1/4" = 1'$ are all commonly used scales.

At $1/4"$ scale a livingroom used by eight people looks like this:



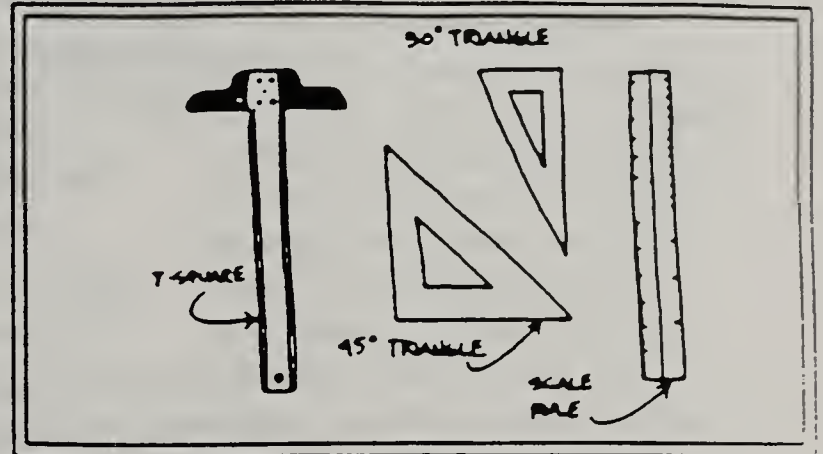
With the sketches and precise measurements, drawing plans and elevations is mechanical. You will use:



- Large paper (blue lined graph paper may be used as an aid to scaling and drawing proper angles. This paper is especially helpful if you have neither a T-square nor architectural scale).
- Rule or architectural scale.
- Pencil with eraser.
- Straight edge (different from a ruler, unless the ruler has a very straight edge).

Additional helpful tools

- T-square, or other 90 degree angle
- Circle template
- Adjustable triangle



Step 1.

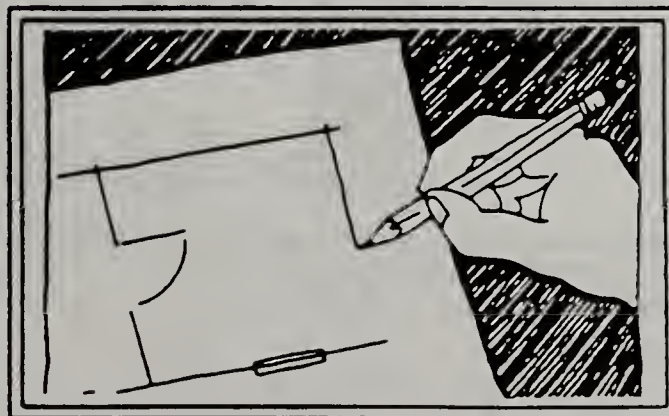
The first step is to decide at what scale you will be working. Since these plans will be the base of a model, they should be fairly large: i.e., 2' x 3', 3' x 5', 3' x 4'. For most single rooms, 1" = 1' will be a good scale. A

25' x 30' room would be drawn as 2' 1" x 2' 6". The paper used should be large enough to allow for lots of notes and dimensions to be written outside the plan. This 25' x 30' room then, might be drawn on 30" x 36" or 36" x 42" paper.

Step 2.

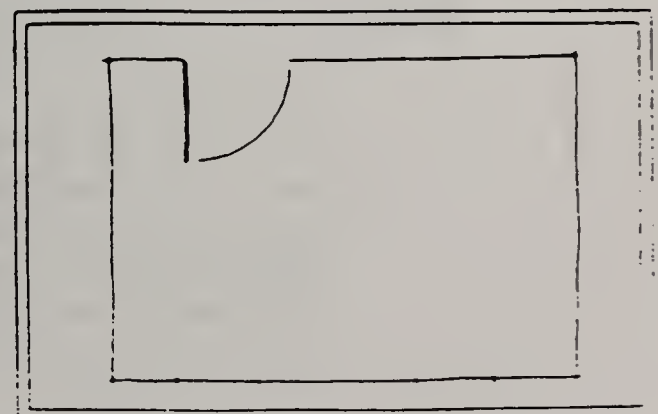
This second step in drawing the final floor plan is to lightly pencil in the outer walls, regardless of doors and windows.

The drawing should be located on the page so that there is enough room for the label (see Step # 6) and all notes and dimensions.



Step 3.

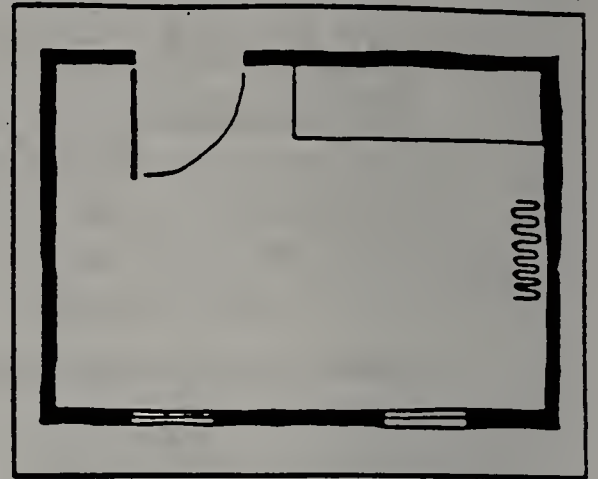
Draw in doors and windows, using the architectural symbols:



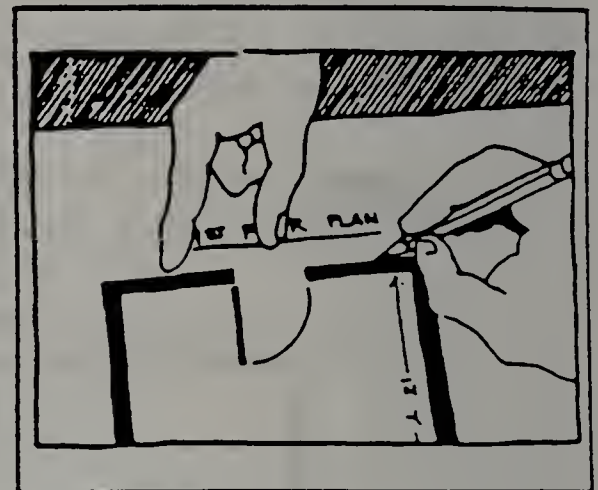
Step 4.

Darken lines that represent the solid walls. Add the fixed features of the room including:

- Built-in shelves
- Pipes
- Radiators
- Lights

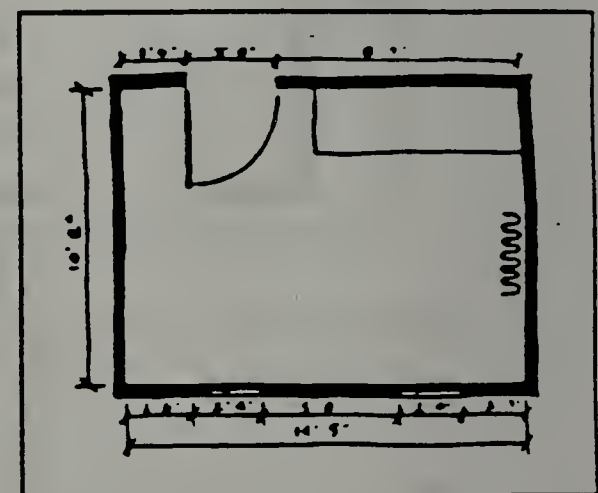


If the plan gets full, do an overlay on trace or acetate that shows overhead features such as lighting.



Step 5.

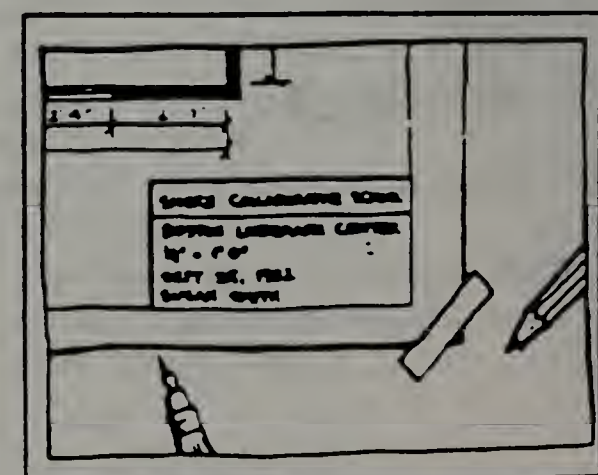
Add dimensions to the outside of the drawing.



Step 6.

In the lower right hand corner, label the drawing with

- Name of the space
- Location
- Scale
- Date
- Your name(s)



ELEVATIONS.

- Step 1. After determining the size of paper needed, lightly pencil in the outer dimensions of the first wall. The elevation should be drawn at the same scale as the floor plan. Locate the elevation on the page so that there is room for the label and all notes and dimensions.
- Step 2. Add the doors, windows, lighting and other fixed features.
- Step 3. Add the dimensions and notes.
- Step 4. Label the drawing in the lower right hand corner as on the floor plan (see page 7).
- Step 5. Do the elevations for each wall, as described in Steps 1.- 4.

When the drawings are complete, roll, (do not fold) them up. You can have special types of photocopying done from your plans. These are called "blue lines" or "black lines" and make cheap, permanent copies (approximately \$2.50 for a 2' x 3' drawing). Blue lines can be made at many locations in the greater Boston area. Look under "Blueprinting" in the Yellow Pages for the most convenient location.

